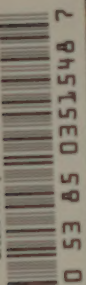


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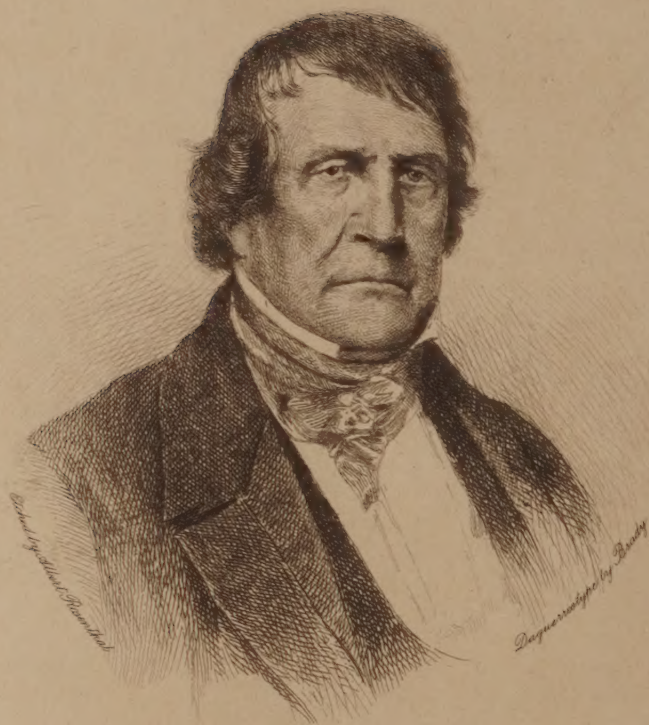
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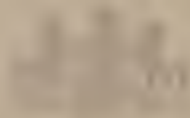
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Editor HOWARD M. JENKINS

Volume Two



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CHAPTER I.

THE LAST HEREDITARY GOVERNORS

BY the death of Richard Penn, one of the Proprietaries, Feb. 4, 1771, his son, Lieutenant-Governor John Penn, under the terms of the family settlement and of Richard Penn's will in accordance therewith, succeeded to Richard Penn's one-fourth interest in Pennsylvania and thus to the legal title of Governor.

Bedford county, extending from the Blue mountain to the western boundary of the province, was set off from Cumberland county in March, 1771. There were at this time upwards of 2,000 families west of the Alleghanies.

On May 4, John Penn embarked for England, leaving the executive powers of government in the hands of the Governor's Council, of which ex-Lieutenant-Governor Hamilton was senior member and accordingly President.

In July, Lazarus Stewart appeared again at Wyoming with some of his former followers, and joined about seventy armed men from Connecticut, driving into the blockhouse for refuge such of the Proprietaries' tenants as had not taken alarm and left upon reports of the coming of five hundred. Captain Joseph Morris and John Dick with about thirty men were sent by the Provincial authorities with provisions to relieve this straitened garrison, but on the 30th were fired upon as they were within two hundred yards of it. They lost two loads of flour and nine men wounded and missing, but reached the blockhouse. The besieg-

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ers had several killed and wounded. On August 14 the block house was surrendered because short of provisions, having lost one man killed.

Richard Penn, second son of the deceased Proprietary, and previously a member of the Governor's Council, was appointed by his uncle and brother as Lieutenant-Governor of Pennsylvania and the Lower Counties, and arrived the second time in Pennsylvania on Oct. 16, 1771. In the following May he married Miss Mary Masters, a Philadelphia lady of sufficient property to make him somewhat independent. With pleasing manners, and endeavoring to keep on good terms with the people, he succeeded in making himself the most popular of his family. All his dealings with the Assembly were very friendly. He had a dispute with his brother concerning his father's will, claiming that the manors were not appurtenant to the Proprietaryship, but were included in the private real estate directed to be sold for the benefit of the residuary legatees. Thomas Penn took the side of John, and the two found fault with Richard's conduct in the government, but the latter defended himself, and spoke of his father's promise to try to have the family agreement of 1732 dissolved as unfair to his younger children in its stipulation that the Proprietaryship should go to the eldest sons, charged only with payments to the widows and younger children of certain sums which had since become entirely disproportionate to the estates.

During Richard Penn's administration the county of Northumberland was erected out of portions of Lancaster, Cumberland, Berks, Northampton, and Bedford, and the western part of what remained of Bedford was set off as the county of Westmoreland, and the Connecticut claimants extended their settlements, building forts and houses at Shoholy and Lackawaxen on the Delaware, where the Proprietaries had manors, and establishing themselves on the West Branch of the Susquehanna, and with difficulty being prevented from ejecting the Pennsylvania settlers there. Penn's Council showed clemency to John Durkee in August, 1772, by

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ordering his discharge from jail and a *nolle pros.* to be entered on the indictment.

Richard Penn was superseded in office by his brother John, who arrived in August, 1773. For a long time Richard did not go near him, and maintained that he had been greatly injured. John indeed offered, as long as he should be Governor, to allow him 500*l.* a year, but Richard declared that he would not be his brother's pensioner. There is a story that at a banquet, they sat opposite to each other, on the right and left hand of the head of the feast, and did not speak to each other during the whole entertainment. However, Richard was induced to execute, in May, 1774, a release of his claim, and a reconciliation took place when John appointed him naval officer, and Richard, accepting the position, called to thank him.

The Colony of Connecticut having referred to legal counsel the question of any right to land west of New York, and received an opinion in favor of such right, decided by resolution of October 2, 1773, to assert the claim, also to send commissioners to treat with Governor Penn for a settlement of the boundary, which those appointed explained to depend upon whether the south line of Connecticut should cross W. S. W. or parallel with the southern line of Massachusetts. John Penn replied to the commissioners that he could not admit a claim which gave the charter to Connecticut a different construction from what had been determined to be the sense of other charters of the kind, and extended the limits beyond those fixed as a western boundary by royal authority in 1664: if Connecticut would bring the matter to an issue before the King in Council, the Proprietaries of Pennsylvania would appear there, and use all dispatch towards a final decision. The commissioners thereupon proposed that a temporary line to separate the regions in which the parties respectively should administer justice be adopted without prejudice to either side. Governor Penn replied that, the legislature of Pennsylvania having erected the part where the Connecticut people had settled into

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a county, there existed a legal jurisdiction which he could neither restrain nor transfer to another government; and that before the Connecticut government had taken up the matter, land had been



Jeffrey Amherst

Major-general in movements against French, 1758; governor-general British possessions in America, 1760; governor of Virginia, 1763. Reproduced especially for this work from an engraving in possession of Mrs. William M. Darlington

granted, of which he could not forbid the settlement; he could see no means to effectuate peace and order but the entire withdrawal of the Connecticut people until a legal decision be rendered. The commissioners went back, and in January, 1774, the Assembly of Connecticut enacted that the inhabitants on the west side of

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the Delaware between the north and south lines "of this colony," and bounded west by a line fifteen miles from Wyoming, be a distinct town called Westmoreland, and a part of the county of Litchfield, that Zebulon Butler and Nathan Denison be justices of the peace, and that no person be allowed to settle on any land included in the charter to Connecticut without permission. In the correspondence with Penn resulting from this, Governor Jonathan Trumbull of Connecticut claimed credit for his colony's forbearance in not including in the town's limits other parts of the soil of Connecticut upon which great numbers had settled under grants from Pennsylvania.

Now arose a question of measurement as against Virginia. It was not only doubtful where did the five degrees of longitude which were to be the extent westward of Pennsylvania start from?—indeed it might be the westernmost point of the circle around New Castle—or was the western boundary a straight north and south line, or did it run like the course of the river, from which it was to be a distance equal to five degrees? It was not mere ignorance of distances or inaccuracy of instruments which made the settlers down the Monongahela believe they were beyond the limits of Pennsylvania, and in 1771 to resist process from this colony's court for Bedford county. Croghan maintained that the limits were at the Alleghanies or Laurel Hill Range, having heard among other things that a degree of longitude at the time of the charter to William Penn meant 48 miles.

At the close of 1773, the Earl of Dunmore, Governor of Virginia, appointed Dr. John Connolly as Commandant of the Militia of Pittsburgh and its dependencies with instructions to assure the inhabitants that he intended proposing to the House of Burgesses of Virginia the erection of a new county of that dominion to include Pittsburg. Connolly issued an advertisement commanding all the inhabitants to appear as a militia on January 25. Arthur St. Clair, who was prothonotary, clerk, and recorder of Westmoreland county, at once reported

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this to John Penn, who caused Connolly to be arrested, and sent to Lord Dunmore a draught of the lines of Pennsylvania as plotted by Provost Smith, David Rittenhouse, and the Surveyor-General showing that Pittsburgh was six miles, so they said, eastward of the westernmost limit of the grant to the Proprietaries. Dunmore replied that he must have more authoritative evidence than this, and that St. Clair must be dismissed from office for committing Connolly to jail. Connolly had refused to find sureties for good behavior. About eighty persons in arms assembled on the appointed day, paraded through Pittsburgh, proceeded to the fort, and opened a cask of rum. The magistrates read them a paper prepared by St. Clair, explaining that it was an unlawful gathering, and requiring them to disperse. To which they replied that they would do so, but by night they were not so peaceably inclined. In a few days, the Sheriff allowed Connolly to go to Pittsburgh under promise to return. He travelled about the country collecting adherents, and on April 6, to keep his promise, appeared at Westmoreland Court House, about thirty miles from Pittsburgh, at the head of about two hundred men, most of them with firearms and some with drawn swords, and gave a written address to the three magistrates holding court, declaring himself not amenable to their authority, but his willingness, although they had no right to act, for them to decide any matters which people might bring before them until further orders from Virginia. On his demanding an answer in writing, the magistrates gave him one declaring that they would continue to exercise jurisdiction under the legislative authority of Pennsylvania. For this answer, he had them arrested a few days afterwards, and brought before him in Pittsburgh, and on their refusing to give bail to appear at the Court held for Augusta county, Virginia, at Staunton, he started them on the long journey thither. Penn gave these magistrates permission to get bail, advised the others not to come into conflict with Dunmore's officers, and sent Tilghman and the Attorney-General as commissioners to Wil-

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liamsburg, to induce Lord Dunmore to join with the Proprietaries in a petition to the King to have the boundary line run and marked, and meanwhile to agree, without prejudice to either party's right, to a temporary line of jurisdiction. The application to the King was readily consented to, but the commissioners from Pennsylvania offering for a temporary line one following the courses of the Delaware at five degrees of longitude from it in every part, and then suggesting that the Monongahela river itself would answer for a line, the conference ended. One of the magistrates sent by Connolly to Staunton, went to Williamsburg, and complained to Dunmore of Connolly's act, but the only satisfaction he could obtain was an order to allow him and those who reached Staunton to return home. The adherents of Virginia increased in strength at Pittsburgh; officers commissioned by Pennsylvania accepted commissions from Virginia; a land office was opened under authority of Dunmore, and it became impossible to collect taxes imposed by Pennsylvania or rents due to the Penns. On April 21, Connolly wrote to the people of Wheeling that he had been informed that the Shawanees were ill disposed to the whites, and therefore he commanded them to hold themselves in readiness to repel any insults. Thereupon Michael Cresap with a party killed and scalped two Shawanees who were in company with two white men on the Ohio ninety miles below Pittsburgh, taking a canoe with some goods for a trader, and afterwards attacked some Shawanee chiefs who had been at Pittsburgh at Croghan's request. A party headed by one Gratehouse murdered and scalped nine Indians near Yellow Creek on the Ohio. On hearing this the settlers at Raccoon and Wheeling took fright; and as warlike messages came from the Shawanees, and certain Mingoes went out to retaliate upon the Virginia settlers, and here and there a white man was killed, panic spread to the Alleghanies. A company of rangers formed by St. Clair and others enabled some stand to be made in the region east of Pittsburgh, while Connolly in Fort Pitt, which he called Fort Dunmore, was sending out mil-

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itary expeditions and taking other steps likely to precipitate a general Indian war. It was this state of affairs which forced John Penn to call together the Assembly and a Continental Congress in which Pennsylvania was represented was the result. As the Indian trade could no longer be carried on at Pittsburgh, a town was laid out in the Proprietaries' manor at Kittanning in August, 1774. Although Lord Dunmore led an expedition to the Ohio, the Delawares remained faithful friends of Pennsylvania, and the Shawanees adhered to their word that their quarrel was with Virginia.

Penn succeeded this year in having the starting-point on the Delaware of the boundary with New York fixed and a stone set by David Rittenhouse and Samuel Holland.

Lord Dunmore, having made peace with the Indians, on his way back stopped for a short time at Fort Burd, as the Red Stone Fort was now called, and had Thomas Scott, a Pennsylvania magistrate, bound over to appear at a court to be held for Augusta county at Pittsburgh to answer for contravening the Governor of Virginia's proclamation of April 25 against obstructing his government. On February 7, by order of a Virginia magistrate, a man named Benjamin Harrison with an armed party broke open the jail at Hanna's Town and set free the prisoners. Robert Hanna, who was a magistrate, said: "Boys, you are early up to buy a rope to hang yourselves." He then read the riot act to them. Harrison said he did not regard that act or them who read it, or them who made it, and, on the demand of the Sheriff, he exhibited the warrant. On February 22, Hanna and a brother magistrate, James Cavett, were arrested and confined in Fort Dunmore, where they remained for months, being joined by Scott on May 16, on his refusing to give bail to keep the peace.

On March 21, 1775, Thomas Penn died in Spring Gardens, London, leaving his eldest surviving son, John, afterwards called "the Poet," then just fifteen years old, as hereditary Governor with his first cousin, and with a share in the Proprietaryship four

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times that of the latter. The younger John visited Pennsylvania after the Revolutionary war.

The earliest events of the Revolutionary struggle brought about the recovery by the Penns of the region in dispute with Virginia. Dunmore's proroguing the House of Burgesses of Virginia allowed its Invasion law, under which the garrison at Fort Dunmore was maintained, to expire. The Associators of Westmoreland county were organized by those whom Connolly had been punishing. Connolly was secured and made to find bail. St. Clair, showing him civility, "with the help of a cheerful glass," elicited from him his plans now that Dunmore had abandoned the government of Virginia, viz.: to go immediately to England with some Delaware chiefs and, assisted by Dunmore's influence, ask the King for a confirmation to them of the land they were inhabiting, inasmuch as they had embraced Christianity, and changed their mode of life, and could not be always migrating. This scheme might have prevented the acquisition by Pennsylvania of certain territory not yet ceded by the Indians. Dunmore, it appeared, had designs on the islands in the Delaware. In the latter part of July, Connolly went to see Dunmore at Norfolk, Virginia, and proposed gathering an army of frontiersmen, Canadians, French traders, regular soldiers from the western garrisons, Virginia militia, and Indian chiefs to effect a junction with Dunmore's forces at Alexandria, and obstruct the communication between the Northern and Southern colonies. Upon this subject he was sent to General Gage, and after his return to Dunmore, who gave him a commission as Lieutenant-Colonel Commandant, he, on his way to Detroit, was arrested at Frederick, Maryland, by the Committee of Safety of that colony, on November 23.

It being represented to the Continental Congress that there might be bloodshed between the citizens of Pennsylvania and those of Connecticut when it was important that America should stand united, that body in the summer of 1775 requested the members from those colonies to write and urge the necessity of peace and

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especially the non-molestation of the families or possessions of those who had gone to the army before Boston. But there followed attempts to be the first occupants of various localities covered by the dispute, and the Assembly of Pennsylvania appealed to Congress, which appointed a committee of five to hear both sides. Provost Rev. Dr. William Smith and others named by freeholders of Northumberland and Northampton counties stated the case for Pennsylvania, and suggested the Connecticut people withdrawing to their old bounds east of New York until the decision of the controversy by the King in Council. The Connecticut delegates opposed this with a suggestion that a temporary line be fixed pending "a legal settlement of the controversy," and that Connecticut's jurisdiction be that part of the township called Westmoreland which lay east of a line fifteen miles west of the East Branch of the Susquehanna, but Pennsylvania might exercise jurisdiction over those actually settled within said township under claim through the Penns. The Pennsylvania committee declined this, and reported to the Assembly, which on October 27 endorsed their action, but declared it would acquiesce in any plan of Congress whereby the intruders should enjoy their present settlement, if they would give assurance to abide by the decision of the King in Council and meanwhile to introduce no more settlers and abide by the laws of this Province; otherwise it would support the Governor in defending the rights and property of the people of Northampton and Northumberland. Sheriffs' posses accordingly seized Connecticut settlers. Such as they captured at Fort Parks or Wallinpapeck on the Lackawaxen agreed to demolish the fort, and take leases or purchase from the Proprietaries, and muster in Captain Van Etten's company for the defence of American liberty.

The last meeting of the Governor's Council appears to have been held on October 5, 1775. Logan, Chew, James Tilghman, and Edward Shippen Jr., who was afterwards Chief Justice of the Commonwealth, attending. The Governor made choice of

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the sheriff and coroner of various counties under the frame of government of 1701. Memoranda of his acts to December 9 inclusive appear in the book. Congress on May 15, 1776, resolved, that, it being necessary that the exercise of every kind of authority under the British Crown should be totally suppressed, therefore the respective Assemblies and Conventions be recommended, where no government sufficient to the exigencies of their affairs had been previously established, to adopt such government as should in the opinion of the representatives of the people best conduce to their happiness and safety. This was the death-blow to Proprietary authority. A public meeting sent a protest against the Assembly of the province undertaking to frame a new government, as it derived its power from a royal charter, and did not truly represent the people. The meeting called for a convention. Opposed to this was a remonstrance against amending the constitution except by the authority provided in the charter itself. Protests and counter protests went to Congress; but delegates were chosen to the Constitutional Convention, which declared all power and authority derived from the King of England at an end.

CHAPTER II.

INDEPENDENCE

IN March, 1774, began British coercion of recalcitrant America. Boston, for its bold demonstrations culminating in the "Boston Tea Party," was closed as a port against all commerce by an act of Parliament passed during that month. The news of its passage aroused the indignation of the friends of liberty; and resolutions for a suspension of trade with England and for a general congress came from the neighboring counties; but in Pennsylvania the majority were disinclined to action. That any was taken is owing to Thomson, Mifflin, and Reed, with whom Dickinson united: and he only, trusted for his moderation, admired for his abilities, or considered for his wealth, could have induced the Quakers to consent to an expression of sympathy for Boston and the participation by Pennsylvania in another general congress. Galloway, the Speaker of the Assembly, had taken the American view of taxation without representation, but was by nature a royalist. According to his subsequent statement to the Committee of the House of Commons he saw nothing tyrannical in the Boston Port Bill. What grievances the colonies had, he was willing for a congress of their chief men to talk over: as one of the Committee of Correspondence of the Assembly of Pennsylvania, he wrote in support of such a plan; he said the Assemblies were the proper bodies to name these representatives, and he agreed as Speaker to call a session of his House. Governor Penn had been asked to summon it, but refused; however, he was soon obliged

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to do so by the danger of an Indian war. It met on July 18; before which the wire-pullers among the Whigs bent their energies to turn public opinion so strongly in favor of union with the other colonies that the Assembly must comply. They arranged for a convention of county committees, which, meeting just before the House, adopted a long paper of "instructions," prepared by Dickinson, and in a body presented it at the sitting. These desired the Assembly to appoint delegates to the Congress, with orders to exert themselves to obtain a renunciation by Great Britain of all powers under the statute of 35 Henry VIII for transporting persons to England for trial and all powers of internal legislation, imposing taxes or duties, or regulating trade except in certain cases; also a repeal of the acts for quartering troops in the colonies, or imposing duties to be paid in the colonies passed within a certain time, or giving colonial courts of admiralty certain powers complained of, or shutting up the port of Boston, etc.: in exchange for which favors, the colonies should engage to obey the Acts of Navigation and other acts of Parliament, and settle an annual revenue on the King, and satisfy all damages done to the East India Company. The committees composing this convention were: For Philadelphia city and county, Thomas Willing, John Dickinson, Peter Chevalier, Edward Penington, Thomas Wharton, John Cox, Joseph Reed, Thomas Wharton Jr., Samuel Erwin, Thomas Fitzsimmons, Dr. William Smith, Isaac Howell, Adam Hubley, George Schlosser, Samuel Miles, Thomas Mifflin, Christopher Ludwic, Joseph Moulder, Anthony Morris Jr., George Gray, John Nixon, Jacob Barge, Thomas Penrose, John M. Nesbitt, Jonathan B. Smith, James Mease, Thomas Barclay, Benjamin Marshall, Samuel Howell, William Moulder, John Roberts, John Bayard, William Rush, and Charles Thomson; for Bucks county, John Kidd, Henry Wynkoop, Joseph Kirkbride, John Wilkinson, and James Wallace; for Chester county, Francis Richardson, Elisha Price, John Hart, Anthony Wayne, Hugh Lloyd, John Sellers, Francis Johnston, and Richard Reiley; for Lancaster county,

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George Ross, James Webb, Joseph Ferree, Matthias Slough, Emanuel Carpenter, William Atlee, Alexander Lowry, and Moses Erwin; for York county, James Smith, Joseph Donaldson, and Thomas Hartley; for Cumberland county, James Wilson, Robert Magaw, and William Irvine; for Berks county, Edward Biddle, Daniel Brodhead, Jonathan Potts, Thomas Dundas, and Christopher Shultz; for Northampton county, William Edmunds, Peter Kechlein, John Okeley, and Jacob Arndt; for Northumberland county, William Scull and Samuel Hunter; for Bedford county, George Woods; and for Westmoreland county, Robert Hanna and James Cavett. Willing was Chairman, and Charles Thomson, Clerk. A contemporary writes: "Our Honorable House made but a scurvy appearance the day the memorial was presented to them by the Committees; it was enough to make one sweat to see a parcel of countrymen sitting with their hats on, great coarse cloth coats, leather breeches and woolen stockings in the month of July; there was not a speech made the whole time, whether their silence proceeded from their modesty or from their inability to speak I know not." Over these men, Galloway, with his wealth, education, and political prestige, and with some claim on their gratitude as their advocate against the Proprietaries, was both presiding officer and presiding genius. A few were under the control of ex-Chief Justice Allen, member from Cumberland. Both Allen and Galloway being favorable to a General Congress, and a number of Assemblymen having been members of the Convention, it was carried unanimously to send delegates. But in the choice of delegates, we see the influence of Galloway. Instead of accepting Dickinson and Wilson, whom the Convention favored, the Assembly decided to send from their own number, and put Galloway at the head of the delegation, the others being Samuel Rhodes, Thomas Mifflin, Charles Humphreys, John Morton, George Ross, and Edward Biddle. The non-appointment of Dickinson caused great chagrin. Galloway then wrote the instructions for himself and colleagues. He tells this to the com-

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mittee of the House of Commons, as also how he was at first unwilling to serve, but consented to do so if the instructions were to his mind. As the Congress assembled, Galloway did the honors. He offered them the State House, but they decided to meet in the Carpenters' Hall. Bancroft narrates his conduct in Congress, beginning with the statement that he "acted as a volunteer spy for the British government." He certainly went into the Congress to exert a control over it. "To the delegates from other colonies as they arrived, he insinuated that 'commissioners with full power should repair to the British Court, after the example of the Roman, Grecian, and Macedonian colonies on occasions of the like nature.' His colleagues spurned the thought of sending envoys to dangle at the heels of a minister, and undergo the scorn of Parliament." We are told that it was in secret concert with the Governor of New Jersey and Lieut.-Gov. Colden of New York that he proposed in Congress a government for America to consist of a President-General appointed by the King, and holding office during his pleasure, and a Grand Council chosen once in three years by the Assemblies of the various colonies. This celebrated scheme is given in full in the American Archives, Fourth Series, although Congress afterwards expunged it from the minutes. The number of members of the Grand Council was left blank, but the design was to proportion it to the population. The Council was to meet annually; the British Parliament was to have the power of revising its acts; and it was to have a negative upon British statutes relating to the Colonies. The idea was a British and American legislature for regulating the affairs of America. The President-General was to execute the decrees of the Grand Council. He also had the power of vetoing them. This arrangement for arbitration between America and the Mother Country, which has no little resemblance to the Constitution of the United States adopted thirteen years later, differing from it in leaving the choice of the President and the second branch of the legislature to the King and British nation, whom

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Galloway looked upon as the source of power, instead of to the people of the United States, whom the framers of the Constitution recognized as sovereign, was the best possible suggestion from those who with sincerity professed the desire to remain under the King's government. "I am as much a friend to liberty as exists," said Galloway in presenting it, "and no man shall go further in



Deshler's Fort or Block house, built 1760

Lehigh county. From a sketch made especially for this work

point of fortune or in point of blood than the man who now addresses you." The plan was favored by John Jay and James Duane of New York and by Edward Rutledge of South Carolina. It was rejected, says Charles Francis Adams in notes to John Adams's Writings, by the close vote of six colonies against five; says Bancroft, no colony but perhaps New York favored it. "With this defeat," says Bancroft, "Galloway lost his mischievous importance." On October 8th, Congress passed a resolution approving of the opposition made by the people of Massachusetts

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to the Act of Parliament altering the government of that colony, adding that "if the same shall be attempted to be carried into execution by force, all America ought to support them in opposition." Galloway thought this resolution treasonable. Duane and he asked to be allowed to enter their protest, but Congress refused, and they privately took each other's certificate that they had opposed it. Galloway then proposed to Duane to leave Congress; but, on consulting with his friends as to his personal safety if he did so, Galloway was advised to remain. He was re-elected to the Assembly in the fall of 1774, but changes favorable to the advanced Whigs had been made in the membership of the House. Edward Biddle was chosen Speaker. Galloway did not attend its meetings until after the report of the proceedings of Congress had been made by his colleagues, and the Assembly had voted upon them, approving them unanimously. Dickinson had been almost unanimously elected a member of the Assembly, and, on the opening of the session, was added to the delegation. In Congress, his master hand was first employed in the Address to the Inhabitants of Quebec forwarded under date of October 26th. It was to explain the English Constitution, founded, as it said, on the principle that "to live by the will of one man or set of men is the production of misery to all men." Under that Constitution the first grand right is popular representation, leading to the right of withholding supplies until grievances be redressed; the second grand right, trial by jury; the third, the writ of habeas corpus; the fourth, the holding of land by easy rents; and the last, freedom of the press. In place of these rights, a recent act of Parliament had given to the people of Quebec an absolute government dependent on the pleasure of a Ministry. Such being the case, the Address appealed to them to unite with the Colonies. Nature has joined their country to ours; let the people join their political interests. They were not asked to commence acts of hostility against their sovereign, but to unite with the Colonies in one social compact. For this purpose, they

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were desired to send delegates to the Congress which should meet the 10th of May following.

On November 2, 1774, twenty-eight citizens, who, it is said, had often met for fox-hunting, formed themselves into the First Troop, Philadelphia City Cavalry. They were all men of substantial means who needed not pay to keep them in the field. Some of them were representatives of the *élite*, and others afterwards attained such prominence in public affairs as shed lustre on the organization; but at that time Andrew Allen, Attorney-General of the Province, was the most distinguished man among them. The officers first chosen were: captain, Abraham Markoe (formerly of the Danish island of St. Croix); first lieutenant, Andrew Allen; second lieutenant, Samuel Morris (previously Sheriff of Philadelphia County); cornet, James Mease, etc. The company, after serving at its own expense throughout the war which ensued has since maintained perpetual succession, and is now commonly known as the First City Troop.

On December 15, 1774, the Assembly unanimously chose Biddle, Dickinson, Mifflin, Galloway, Humphreys, Morton and Ross to represent Pennsylvania in the next Congress, the other member of the former delegation, Rhoads, being Mayor of Philadelphia and unable to attend. By reason of Biddle's illness, Morton became Speaker on March 15, 1775.

Upon news of the battle of Lexington multitudes of men at the suggestion of the county committees of observation entered into an association for defence. The older portion of the colony being a peaceable community, the chief officers from it were without military experience who owed their positions to political activity, and sometimes their leadership in that to social prominence. Dickinson accepted the colonelcy of the first battalion. The colonels of the others raised in the city of Philadelphia were Daniel Roberdeau, a merchant and politician, John Cadwalader, a shopkeeper selling hides, son of one of the Governor's Council, Thomas McKean, a lawyer lately Speaker of the Delaware As-

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sembly, and Timothy Matlack, of whom the anecdote is told that James Pemberton, noticing him girded with a sword, said, "What is that thing at thy side for?" and Matlack replied, "That is to defend my property and my liberty;" to which Pemberton answered, "Why, Timothy, as for thy property, we know that thou hast none, and as for thy liberty thou owest that to me," he having relieved Matlack from imprisonment for debt. The colonels of six battalions raised throughout Philadelphia county (then including the present Montgomery) were: William Hamilton, nephew of Lieutenant-Governor James; Robert Lewis, Thomas Potts, Samuel Miles, Hill Tench Francis, who was the son of a deceased Attorney-General of the province, and had brothers-in-law in a dozen families of the fashionable circle of the little capital. The other colonels were: of Bucks county, Joseph Kirkbride, Joseph Hart, Andrew Kachlein, and Arthur Erwin; of Chester county, James Moore, Thomas Hockley, Hugh Lloyd, William Montgomery, and Richard Thomas; of Lancaster county, George Ross, Matthias Slough, Curtis Grubb, Thomas Porter, John Ferree, James Burd, the only veteran officer of high rank among the heads of volunteers, Peter Grubb, and Bartram Galbraith; of York county, James Smith, Robert McPherson, Richard McAllister, William Smith, and Matthew Dill; of Cumberland county, Robert Callender, William Thompson, John Montgomery, and James Wilson; of Berks county, Edward Biddle, Mark Bird, Daniel Brodhead, Balzer Geehr, and Christian Louer; of Northampton county, George Taylor, Henry Geiger, Yost Driesbach, and Jacob Stroud; of Bedford county, Bernard Dougherty and Samuel Davidson; of Northumberland county, Samuel Hunter, James Potter, and William Plunkett; and of Westmoreland county, John Proctor and John Carnahan.

The Assembly was induced on June 30, to resolve that it approved of the association, and would pay both officers and men in case it were necessary for those enlisted to go into active service. At the same time, it ordered 35,000*l.* in bills of credit to be struck

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off, appointed Michael Hillegas as Treasurer, recommended the purchase by the County Commissioners and assessors of specified numbers of guns with bayonets, cartridge boxes with twenty-three rounds of cartridges and knapsacks, offered 20*l.* for every cwt. of salt petre manufactured in the province within the next three months, and entrusted the calling forth of the associators and the spending of the bills of credit to a Committee of Safety composed of John Dickinson, George Gray, Henry Wynkoop, Anthony Wayne, Benjamin Bartholomew, George Ross, Michael Swoope, John Montgomery, Edward Biddle, William Edmunds, Bernard Dougherty, Samuel Hunter, William Thompson, Thomas Willing, Benjamin Franklin, Daniel Roberdeau, John Cadwalader, Andrew Allen, Owen Biddle, Francis Johnston, Richard Reiley, Samuel Morris Jr., Robert Morris, Thomas Wharton Jr., and Robert White. Franklin was chosen President of this committee at its first meeting, July 3, 1775.

When Washington was put in command of the army around Boston, Mifflin accompanied them thither, and was made his aide-de-camp, in which capacity, says Bancroft, "he charmed by his activity, spirit, and obliging behavior," and being more convivial than the General, succeeded to the duties of host when the latter would retire from the table. In August, 1775, Washington appointed him Quartermaster-General, as he writes to Richard Henry Lee, "from a thorough persuasion of his integrity, my own experience of his activity, and finally because he stands unconnected with either of these governments or with this, that, or the other man; for between you and me there is more in this than you can easily imagine." In October, 1775, the City of Philadelphia again elected Mifflin to the Assembly, but he resigned. On May 19, 1776, he was made a Brigadier-General, and entered upon active duties in the field. In the dark days of the war, he was eminently useful as a recruiting officer. Joseph Reed, another of the most active Whigs in Philadelphia, was made Adjutant-General. Congress asking in October, 1775, for the raising of one battalion

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from Pennsylvania, to take part in the expedition against Canada, John Bull was appointed its Colonel, but resigned owing to a threat of about half the officers to do so, if he continued in command, so John Philip De Haas, evidently a descendant of a Dutch settler of that surname, was appointed. James Irvine was Lieutenant-Colonel, and Anthony James Morris, Major. Four more battalions were also raised that year, the colonels being Arthur St. Clair, the leading man of Westmoreland county, who had seen service in the British army under Amherst, John Shee, an Irish merchant who had married into the Lawrence family of Philadelphia, Anthony Wayne, member of the Assembly, educated as a surveyor, who made himself by study and severe drilling of his men a general as well as a hero, and Robert Magaw.

A murmur for independence was becoming audible through the colonies, but, however general it may have been in Massachusetts, had been quickly frowned down in Pennsylvania. It was with difficulty that the mass of our people had been roused at all. A moderate amount of fair treatment by Parliament would have satisfied them. By the Quakers, what was desired was not to be obtained by bloodshed. By the Proprietary officials, it was not worth risking deprivation of office. With the rest of the population, becoming more and more determined to battle for their rights, the influence of "the Farmer" was sufficient to keep them to the original purposes of resistance. In Congress, his labors were for reconciliation, and he wrote and carried through that body the Second Petition to the King, entreating his attention to a number of grievances, and asking but for Peace, Liberty, and Safety. It was penned, says Belsham in his *Memoirs of George III*, "with extraordinary force and animation, in many parts rising to a very high strain of eloquence." It is a great record for John Dickinson that nearly every address sent forth from the Continental Congress from this time to the Fourth of July, 1776, was written by him. This Petition was called "the olive-branch," and was looked upon as a forlorn hope by the majority, and by

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many acquiesced in as the last effort of the Conservatives; but Ramsey in his History says it produced more solid advantages to the Americans than preceding measures. It was taken to England by Richard Penn, lately Governor of Pennsylvania. He and Arthur Lee, Agent for Massachusetts in London, delivered it to the Earl of Dartmouth, Secretary of State for the Colonies, on the 1st of September. On November 7, 1775, its consideration being the order of the day in the House of Lords, the Duke of Richmond, observing Mr. Penn below the bar, moved that he be examined, to authenticate it. The Earls of Sandwich and Dartmouth, fearing that this would lead to a disagreeable statement of American affairs, objected to an examination without previous notice as unprecedented. Other lords pleaded for some information as to the general state of America, and said that there could be no one better able to give it than Mr. Penn; and the Duke of Richmond promised that no question should be asked to which any peer should make objection. It being carried at last that Penn should be examined on the 10th, he that day appeared at the bar, and was sworn. Among other answers, he said that when he left Pennsylvania the province had 20,000 men in arms, and 4,500 had been since raised; he supposed there were 60,000 fit to bear arms, and he believed all would willingly come forward, if necessary; Pennsylvania raised more than enough corn to feed her people, and could manufacture certain munitions of war in good quantities.

In October, 1775, Dickinson was almost unanimously re-elected to the Pennsylvania Assembly—Bancroft sums up, "by patriots who still confided in his integrity, by loyalists who looked upon him as their last hope, by the Quakers who knew his regard for peace, by the Proprietary party whose cause he had always vindicated."

When the new Assembly met, it reappointed the Committee of Safety, leaving off William Edmunds, William Thompson, and Thomas Willing, and adding Samuel Miles, George Taylor, Jo-

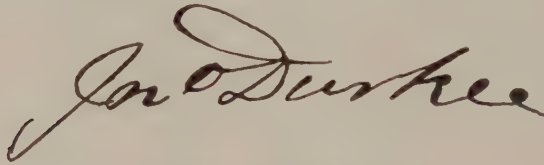
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seph Reed, Nicholas Fairlamb, George Clymer, Samuel Howell (merchant), Alexander Wilcocks, John Nixon, James Mease, and James Biddle. The committee re-elected Franklin President, and Robert Morris, Vice-President. In November, delegates were chosen to Congress; Dickinson was returned, and Benjamin Franklin alone, out of the nine delegates, was in favor of separation: and they were instructed to reject any proposition looking to such a thing. Dickinson continued to be one of the most important members of Congress, was placed on the committee to correspond with foreign powers, and was entrusted with the framing of Articles of Confederation. The majority were now determined to destroy the authority of the British King, and although Dickinson held his delegation to his own views, the progress of events changed public feeling in Pennsylvania, where many who regretted the cruel necessity were now ready to give up the name of Englishmen. With Dickinson himself, it became a question of advisability. At length the Assembly released the delegates from the former instructions, and left the matter to their own judgment. A committee, with the author of the Farmer's Letters at its head, reported: "The happiness of these colonies has during the whole course of this fatal controversy been our first wish; their reconciliation with Great Britain our next. Ardently have we prayed for the accomplishment of both. But if we must renounce the one or the other, we humbly trust in the mercies of the Supreme Governor of the universe that we shall not stand condemned before His throne if our choice is determined by that overruling law of self-preservation which His Divine wisdom has thought proper to implant in the hearts of His creatures."

Congress now resolved itself into a committee of the whole on the question of independence. John Adams advocated it with great warmth, and delegates from other colonies joined in the clamor. Livingston of New York, Rutledge of South Carolina, and Wilson of Pennsylvania joined with Dickinson in opposing it. Wilson avowed, that, notwithstanding the recall of the instruc-

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tions against independence by the Assembly of Pennsylvania, his own sentiments remained the same. Dickinson, who had pledged his word to the Assembly the day before that he and a majority of the delegates from the colony would continue to vote against independence, declared that two hundred years of happiness and present prosperity, resulting from English laws and the union with Great Britain, demonstrated that America could be wisely governed by the King and Parliament. It was not as independent, but as subject states; not as a republic, but as a monarchy, that the colonies had attained to power and greatness. The re-

A handwritten signature in dark ink, reading "John Durkee". The script is fluid and cursive, with a large, sweeping initial "J" and a long, trailing flourish at the end.

Signature of Captain John Durkee

straining power of the King and Parliament was indispensable to protect the colonies from disunion and civil war. If the dread of English arms were removed, province would rise against province, city against city, and the weapons now assumed to combat the common enemy would be turned against themselves. Even when supported by the powerful hand of England, the colonists had abandoned themselves to discords and sometimes to violence, from the paltry motives of territorial limits and distant jurisdictions; what then must they not expect now that minds were heated, ambitions roused, and arms in the hands of all? For the past twelve years the measures of the English government had savored of tyranny; but was there any doubt that it already felt a secret repentance? The arms it prepared were not now designed to establish tyranny on our shores, but to compel us to accept terms of accommodation. The distance of the seat of government, the vast extent of intervening seas, the continual increase of our population, our warlike spirit, our experience in arms, the lakes, the

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rivers, the forests, the defiles which abounded in our territory, were our pledges that England would always prefer to found her power upon moderation and liberty rather than upon rigor and oppression. As to the beneficence of founding an American republic, Dickinson, according to Botta's History American War, reminded Congress how in popular republics, "so necessary is monarchy to cement human society," it had been found requisite to institute monarchical powers more or less extensive under the names of Archons, Consuls, Doges, Gonfaloniers, and Kings. The English nation had never found repose except in monarchy; and the English constitution seemed to be the fruit of the experience of all former time; monarchy being so tempered that the monarch himself is checked in his efforts to seize absolute power, and the authority of the people being so regulated that anarchy is not to be feared. When a counterpoise should no longer exist, the democratic power, it was to be apprehended, might carry all before it, and involve the state in confusion and ruin; and then an ambitious citizen arise, seize the reins of power, and annihilate liberty forever. The debate was adjourned to the 1st of July. When Congress again resolved itself into committee on the question, James Wilson had turned for independence. John Adams now made a stirring speech in favor of declaring it. Dickinson rose in reply. "I desire this illustrious assembly to witness the integrity, if not the policy of my conduct." He argued that the time had not come for such a step. "Without some prelusory trials of our strength, we ought not to commit our country upon an alternative where to recede would be infamy and to persist might be destruction." It would add nothing to their strength: it might unite the different parties in England against them: it might create disunion among themselves. He pointed out that foreign aid would not be obtained without success in battle. Before the proposed step were taken, they should know the feelings of the great powers, which emissaries had been sent to sound, and as to which they would soon get a report. They ought at least

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to have agreed upon the terms of their own confederation, as had been begun, and it would have been well to have fixed the bounds of each colony, and declared the region not within the acknowledged boundaries to be appropriated for the common benefit to pay the expense of the war. To the intelligent reader, there is sagacity in all Dickinson's utterances on public affairs; to the student of the history of that time, there was but common prudence in what he said on this occasion, successful as, after a long war, became the venture of declaring for independence at this juncture. The colonies were divided. Pennsylvania had been maintaining a border war with both Virginia and Connecticut, because of conflicting or misunderstood boundaries. New York had a similar dispute with Connecticut and New Hampshire, the latter contesting for the region which has since become the State of Vermont. Further trouble was to be expected as population advanced towards the interior of the continent, the older colonies claiming under their original charters as far as the Pacific ocean. It was imperative before these rival communities were freed from outside control that such claims against each other should be arbitrated. The various colonies differed in interests, sentiments, and somewhat in race. The Huguenot and the Knickerbocker naturally cared little for his neighbors of English descent. It was possible that the Quaker remembered New England persecution; left to himself, he would keep the State he controlled isolated. It was not likely that a body of gentleman farmers formed into a State free to follow their own inclinations would keep up any alliance with a mercantile democracy. That alliance, then, should have been imposed as the condition of their political greatness. Congress, however, was ordaining that South Carolina and Massachusetts and New York and Delaware, etc., etc., were each an independent nation absolved from allegiance to the British Crown, and under no regulations as to intercourse with one another! Perhaps if the great declaration had been postponed until after the articles of confederation were settled, and the colonies

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bound together more closely by common suffering, the immortal instrument would have declared the colonies "a free and independent nation," and spared posterity the conflict arising from "free and independent States." Nothing but the long war welding together the opposite parts and peoples gave us a country. Dickinson in voting in committee of the whole against Lee's resolution declaring independence, was joined by Robert Morris, Thomas Willing, and Charles Humphreys, making with him a majority of the Pennsylvania delegation; but nearly every colony went the other way. With Franklin and Wilson, John Morton voted in the affirmative. On July 2, 1776, the resolution, being reported by the committee of the whole, came before the House. Dickinson and Morris made no further opposition, but by absenting themselves allowed the Keystone State, which Pennsylvania's population and geographical position made her, to be put into the national arch then being erected. John Morton, history has credited with giving the casting vote. He felt the weightiness of his action, and the odium which he incurred in the locality where he lived, and breaking down in health and dying within a year, sent from his deathbed this protest to the friends who had turned from him: "Tell them they will live to see the hour when they shall acknowledge my signing of the Declaration of Independence to have been the most glorious service that I ever rendered my country."

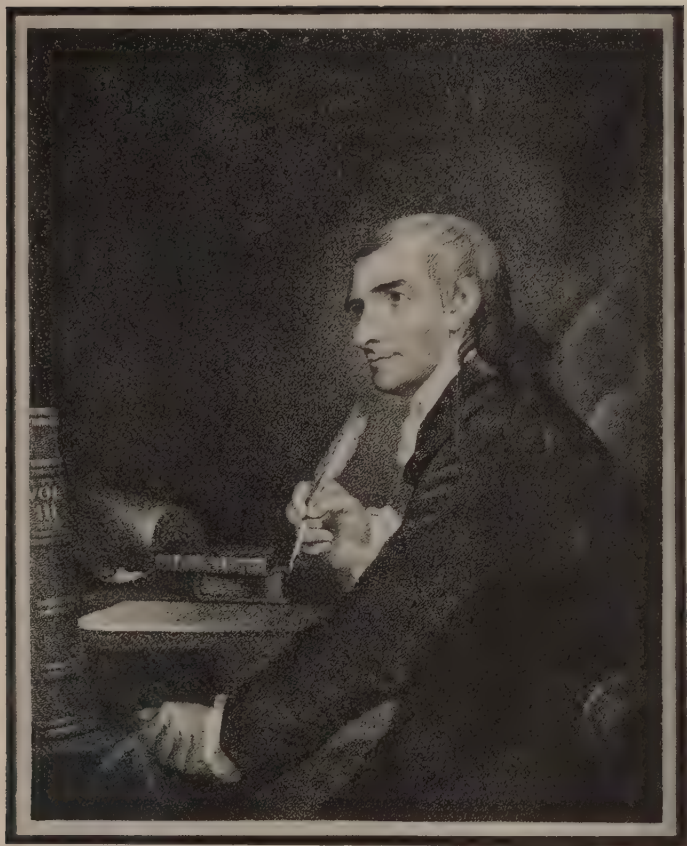
This great measure, although firing the enthusiasm of many, particularly the Scotch-Irish, tore the hearts of those who looked upon England as home, and shocked the moral sense of some who had joined in the resistance to Parliament as well as of the great mass of Quakers always opposed to the disquiet, the arbitrariness, and the cruelty of war. As Voltaire said of William Penn's treaty with the Indians, "never sworn to and never broken," so was the non-militant loyalty of his followers to "the powers that be." In comparing the number of Tories in Philadelphia and vicinity with those in other colonies, we must take into account that here as

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nowhere else was a large religious denomination active in public life, possessed of a great part of the wealth, and distinguished by succession from the founders of the colony, almost unanimous in disapproval of the overthrow of the King's authority. The heads of the Proprietary party shared the same sentiments, while John Penn's weakness of character, which indeed served him a good turn, his father-in-law Allen's old age, James Hamilton's age and broken health—he had a cancer—kept these to the same state of inaction as peace principles did their enemies the Quakers. The young Allens who, as their father in 1775 had given powder to the committee of safety, had joined revolutionary committees or accepted military command, now resigned, and in due time one of them turned his sword against the Americans. The members of Penn's Council, being mostly old men with some of their closest connections among those who took up arms, committed no overt act against the American cause, but apparently Cadwalader, who afterwards served as medical director of the army hospitals, was the only one who in any way aided it. The Episcopal clergy except William White, afterwards Bishop of Pennsylvania, eventually left their charges and retired to England. As we see, the majority of the substantial people, although not of the kind to raise a counter insurrection, were opposed to independence, and incensed at its promulgation. It was consummated by the more remote rural population. So much was this the case that officers of the enemy called the war a Scotch-Irish rebellion.

On July 4, 1776, delegates from the regiments of associators, two officers and two privates from each, met at Lancaster, and elected Daniel Roberdeau and James Ewing as Brigadier-Generals.

Naturally the active men in the military organizations or the local committeemen were chosen in this time of excitement as delegate to the convention to frame a new constitution. It was to be expected that the old statesmen would be crowded out unless they were leaders in the revolutionary movement. Franklin



Francis Hopkinson

Poet; author; librarian and secretary Philadelphia Library, 1764-1765; member Continental Congress 1776; signer Declaration of Independence; judge of admiralty for Pennsylvania 1779-1789; United States district judge 1790-1791. Reproduced from an old engraving especially for this work.

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was such, and was sent by the city of Philadelphia, the rest of its delegation being Colonel Matlack, Frederick Kuhl, Owen Biddle, Prof. James Cannon, George Clymer, George Schlosser, and David Rittenhouse. The two greatest scientific men then living in Pennsylvania, Franklin and Rittenhouse, were the only members of the entire body whose names were or have become illustrious. George Ross was the distinguished personage of the Lancaster county delegation. Franklin being unanimously chosen President, Ross was very justly unanimously awarded the position of Vice-President. All the counties including Philadelphia outside of its city were equally represented by eight members. This was a reapportionment of the delegates of the people, simpler but not more in accordance with population than the old allowance of preponderance to Philadelphia, Bucks, and Chester. This and the abolition of property qualification, and the allowance of the suffrage to foreigners, all followed in the Constitution adopted.

The meeting of this Convention July 15, 1776, marks the transference of power from the people whose ancestors had settled the province under William Penn. Almost the first action was to substitute for Dickinson, Allen, Humphreys, and Willing in the delegation to Congress, James Smith, George Taylor, George Ross, Dr. Benjamin Rush, and George Clymer, of whom only the last was of Quaker affiliation, and the last two born near Philadelphia. Smith and Taylor were natives of Ireland, while of the older members which the convention allowed to remain, John Morton sprang from the old Swedish settlers, but James Wilson was a native of Scotland while the remaining two have enabled a wag to insinuate the mediocrity of Pennsylvanians by toasting "Pennsylvania's great men, Benjamin Franklin, a native of New England, and Robert Morris, a native of Old England." On July 24, the Convention established a Council of Safety to exercise the executive authority of the government until the new Constitution went into operation. At the head of this Council was Thomas Wharton Jr.

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The Constitution as finally adopted vested all legislative power in the General Assembly of the Representatives of the Freemen to be composed for three years of six persons annually chosen from the city of Philadelphia and six from each county of the State including Philadelphia outside the city, afterwards the representation to be apportioned every seven years to the number of taxable inhabitants. Laws except in sudden necessity were not to be passed until the next session after proposal. The executive power was vested in a Supreme Executive Council of twelve elected members, one from the city of Philadelphia and one from each of the counties including Philadelphia, so chosen that one-third should go off every year and no member after serving three years should be eligible within four years. Of this body and from its members a President and Vice President were to be annually elected by joint ballot of the councillors and assemblymen. New counties were each to have a councillor. The President and the Council, five of whom were to make a quorum, were to appoint all judges, the attorney-general, etc., etc. The right to vote was given to all freemen over twenty-one years of age who had resided within the State a year before the election and paid taxes, but the sons twenty-one years old of freeholders were not required to pay taxes. The freemen and their sons should be trained and armed for defence of the State under regulations and with exceptions according to law, but with the right to choose their own colonels and officers under that rank. A debtor except for fraud should not be kept in prison after giving up his real and personal estate for the benefit of his creditors. A foreigner having taken the oath of allegiance could purchase and transfer real estate and after a year's residence have all the rights of a natural born subject, but be ineligible as a member of Assembly until after two years' residence. A Council of Censors of two members chosen from each city and county every seven years beginning with 1783 should inquire into the violation of the constitution, and whether the legislative or executive branches of the government had exercised

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greater powers than they were entitled to, and could impeach, or by a vote of two-thirds of those elected call a convention to amend the constitution. This constitution was not submitted to a vote of the people; but was ordained by the Convention, after considerable opposition.

The first Assembly under the new Constitution met in Philadelphia on November 28, 1776, its most distinguished members being Dickinson, Clymer, Morris, and James Smith the Signer. John Jacobs of Chester county was chosen Speaker. These legislators of a new sovereign people had hardly begun their session when, retreating before Howe, Washington sent Mifflin to Philadelphia to summon the associators to make the defense of the city at the falls of the Delaware. He himself with an army depleted by the expiration of terms of enlistment, crossed from Trenton into Pennsylvania on December 8. Mifflin brought up 1,500 men, over whom Colonel John Cadwalader was given command. For want of boats the British could not pass. Nothing else temporarily saved Philadelphia, to which Putnam was sent to superintend fortification, and from which Congress on the 12th removed to Baltimore. Mifflin had been sent on December 10 with four members of the Assembly, into the adjoining counties to rouse the people, to call them in an inclement season of the year to leave their firesides and undertake weary marches, and, moreover, to gather their own stores. They called meetings everywhere, Mifflin explaining the necessity of the hour from pulpits and from judges' benches. They succeeded in bringing out the militia of Lancaster county and the frontier region, although a large part of Eastern Pennsylvania remained supine or disaffected. Howe returned for winter quarters in New York, leaving Trenton and Burlington in the charge of Donop and a large body of Hessians. The Americans had brigades under Lord Stirling, Mercer, Stephen, and De Fermoy, at the various ferries from Coryell's (New Hope) to Yardley's (Yardleyville); Ewing was further south with the Pennsylvania Flying Camp, Philemon

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Dickinson had some New Jersey troops opposite Bordentown, Cadwalader's militia were about Bristol, and Colonel Nixon with the 3rd Philadelphia battalion was at Dunk's Ferry. In this army as a lieutenant of artillery was James Monroe, afterwards President of the United States. Cadwalader and Miles, who was then a prisoner of war, were appointed by Pennsylvania Brigadier-Generals of her militia on December 25. Davis's History of Bucks County gives a detailed account of the battle of Trenton. When Washington matured his plans to cross the River Delaware above the Falls at Trenton with his main army, the two smaller divisions under command of Generals Ewing and Cadwalader were ordered to cross at the same time at points lower down the shore; that under General Ewing, at the Ferry below Trenton, the other under Cadwalader, a few miles lower. In the instructions of General Washington, on Christmas day, 1776, to the latter, he said, "If you can do nothing real, at least create as big a diversion as possible." That night Cadwalader, stopped by the ice, finally crossed on the 27th from Bristol, and remained on the Jersey side, the troops from Burlington having retreated. Ewing's command crossed on the 28th and 29th, taking a position at Bordentown. General Washington made the crossing on the night after Christmas, and on the morning of the 26th took Trenton with over 900 prisoners. He thought it best to get back to the Pennsylvania side, but in a few days crossed again and joined the divisions of Cadwalader and Ewing. Mifflin brought to Bordentown 1,800 recruits. Marching from Trenton on the third of January, 1777, Washington made the attack upon Princeton, and afterwards, in his report to the President of Congress, alluded to General Cadwalader as "a man of ability, a good disciplinarian, a man of good principle and of intrepid bravery." Chief Justice Marshall, who was at that time an officer in the army, in a letter speaks of General Cadwalader's "activity, talents, and zeal." General Joseph Reed, in a letter to the President of Pennsylvania, dated Morristown, January 24, 1777, said: "General Cadwalader

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has conducted his command with great honor to himself and the province, all the field officers supported their character, their example was followed by the inferior officers and men; so they have returned with the thanks of every general officer of the army."

A treaty with the Indians was held on January 27, at Easton, in the German church, the organ being played as those present drank rum to the health of Congress and the Six Nations and their allies. The commissioners of the United States were George Walton and George Taylor, members of Congress, attended by Colonels Lowry and Cunningham, appointed by the Assembly of Pennsylvania, and Colonels Bull and Dean, appointed by her Council of Safety, and Thomas Paine, Secretary; the Indian chiefs were Jarsquah, or King Charles, a Cayuga, Tawanah, or the Big Tree, a Seneca, Mytakawka and Kakuah, Munceys, Amatincka, a Nanticoke, and Wilakuko, a Conoy. Their speaker said that the first agreement with his white brethren after they came ashore was to settle the land as far as Standing Stone; that at the last purchase, that at Fort Stanwix in 1768, it was agreed that there should be no more land sold unless all the nations of the Indians agreed to it. The great council of the Six Nations sent messages of love in this quarrel, for which they were sorry and with which they had nothing to do: they would not suffer enemies to come through their land from Niagara. The Indians were in want, and they desired Colonel Bull to be agent for them, and a breach would take place if some of the white people who had long feet, and had stepped a great way over the line fixed by the treaty of 1768, were not called back. The commissioners told how the wicked King of England put out the council fire which his fathers and the fathers of the Americans had lit, and told the Americans there would be no other fire than gunpowder fire, and now the Americans had no other brothers than the Indians, of whom they asked only the good wishes. It was seen from a paper in the handwriting of Colonel Butler in the King's service at Niagara, that he was endeavoring to turn the Six Nations against the

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Americans. The Indians showing this paper were warned against such attempts.

Michael Hillegas, first Treasurer of Pennsylvania, ceasing to reside in the State, David Rittenhouse, the astronomer, became his successor.

On February 5, 1777, the Assembly chose as representatives in Congress, Morris, Franklin, William Moore, Jonathan Bayard Smith, and Daniel Roberdeau. Moore was the son of a native of the Isle of Man, and was a merchant who had married the sister-in-law of Thomas Wharton Jr. Moore, however, declined.

The election held on February 14, resulted in the choice of Colonel John Bull, Colonel John Moore, William Coates, and Robert Lollar as assemblymen in place of Dickinson, George Gray, Isaac Hughes, and Thomas Potts, and in the choice of Wharton as a councillor. On the 21st, William Jackson and William Hollingshead were chosen in place of Robert Morris and Samuel Morris Jr. and George Bryan as a councillor. On the same day Congress appointed John Cadwalader one of the ten Brigadier-Generals, but he declined, preferring to remain in the service of his State. On the 22nd, Wilson and Clymer, previously members of Congress, were added to the Pennsylvania delegation.

On March 4, 1777, the Supreme Executive Council of Pennsylvania met for the first time, present Thomas Wharton Jr., John Evans, Jonathan Hoge, George Taylor, John Lowdan, and John Proctor; absent, George Bryan and John Hubley. On the next day George Bryan also attended, and in joint ballot the councillors and assemblymen elected Wharton as President, and Bryan as Vice-President of the Council. Says Miss Anne Hollingsworth Wharton: "Although Thomas Wharton has been spoken of as an ardent Constitutionalist, we find nothing to justify such a statement beyond the circumstance of his having acceptably filled the position of first Constitutional Governor of Pennsylvania, and are disposed to rank him among the moderate supporters of the new system. . . . His views on this subject seem fairly set forth



Fergus Moorhead House, Indiana County

Sketch of the old stone house built by Fergus Moorhead, the first settler of Indiana County, Pennsylvania, about 1778, upon the site where he built his log cabin in 1772. The stone portion is the oldest, the frame portion is of later date. The house is located some miles from Indiana. Engraved especially for this work from a sketch by Dr. W. J. Holland

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in the following letter addressed to Arthur St. Clair soon after the adoption of the Constitution: "True it is there are many faults which I hope one day to see removed: but it is true that if the government should at this time be overset, it would be attended with the worst consequences not only to the State, but to the whole Continent, in the opposition we are making to Great Britain. If a better frame of government should be adopted, such a one as would please a much greater majority than the present one, I should be very happy in seeing it brought about. . . ." It became Thomas Wharton's task to draw together the adverse elements in his native State: and the people, we are told, met the announcement of his election with shouts of joy. His government during this period was in a very hard position, unceasingly besought to furnish men and money out of a devastated territory to fight for an almost hopeless cause.

On the 6th, Timothy Matlack, Clerk of the House, was made Secretary of the Council, and John Morris, Clerk of the House. On the 13th a Board of War was appointed consisting of David Rittenhouse, Owen Biddle, William Moore, Joseph Dean, Samuel Morris Sr., Samuel Cadwalader Morris, John Bayard, George Gray, and John Bull; and a Navy Board was appointed consisting of Andrew Caldwell, Joseph Blewer, Joseph Marsh, Emmanuel Eyre, Robert Ritchie, Paul Cox, Samuel Massey, William Bradford, Thomas Fitzsimmons, Samuel Morris Jr., and Thomas Barclay. The Speaker of the House being too ill to attend, John Bayard was chosen Speaker on the 17th. On March 20, Joseph Reed was appointed Chief Justice of Pennsylvania, but he declined on account of military engagements, and the position was given on July 28 to Thomas McKean, who as a member of Congress from Delaware had signed the Declaration of Independence. On April 5 the Council appointed as Brigadier-Generals John Armstrong, John Cadwalader, James Potter, and Samuel Meredith. Washington believing that the British intended an attack upon Pennsylvania, Mifflin came to Philadelphia again June 10, 1777, with

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messages to Congress and the Assembly and there was intrusted to him and DeCoudray the arrangement of the defences of the River Delaware. The day after Mifflin had appeared before the Assembly to say that Philadelphia was in danger, a memorial from its citizens was presented complaining of the languor "in every department of the State" and explaining it as owing to "the general dislike of the people to the present constitution," and praying for a new convention to amend it. Similar and counter petitions came in, those counter having the greater number of signatures, so the Assembly provided that commissioners go to the residence or place of business of or take some other opportunity of seeing every freeman entitled to vote for members of Assembly, and get his answer on paper, whether he desired a convention to be then called, the votes to be counted after the 10th of November. By the progress of military events this became impossible.

The Assembly of Virginia had authorized its delegates in Congress to propose a final accommodation of the boundary dispute as follows: a meridian line from the head of the Potomac should be extended from its intersection with Mason and Dixon's line due north until it should intersect the latitude of 40 degrees, and thence the southern boundary of Pennsylvania should be run on said 40th degree until the distance of five degrees of west longitude from Delaware river should be completed, and the western boundary should be from that completion either at five degrees from every point of the river according to its meandering, or from points or angles on the river with straight lines between. The Assembly of Pennsylvania on June 17, 1777, admitted the proposal as to the western limits, but declared that it could see no reason to curtail the State by making its southern boundary line west of Maryland the 40th parallel, when west of Maryland it should be latitude 39 degrees. Therefore the Assembly proposed that the meridian line from the head of the Potomac be extended due south to latitude 39 and thence the southern boundary run

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along said parallel until five degrees from the Delaware be completed, and from the point of completion the western boundary be run in lines between points at five degrees from points or angles of the Delaware.* This would have given Pennsylvania the site of the present town of Weston in Lewis county, West Virginia. The Assembly offered, if this were not accepted by Virginia, to leave the whole dispute to determination by the Continental Congress after hearing both sides by counsel.

CHAPTER III.

THE REVOLUTIONARY CAMPAIGNS IN PENNSYLVANIA

ON June 13, 1777, the Assembly required all white male inhabitants over eighteen years of age except in Bedford, Northumberland, and Westmoreland counties to take an oath of allegiance before the 1st of July, and those in said counties before the 1st of August, excepting, however, delegates in Congress, prisoners of war, officers and soldiers in the Continental army, and merchants and mariners in port trading from foreign powers and not becoming residents. Any person refusing should be incapable of holding office, serving on juries, electing or being elected, or even bringing law suits, or buying or selling land, and, as was perfectly reasonable, should be disarmed.

On July 23, Howe sailed with his army from New York to make a mighty effort to end the Revolution by capturing Philadelphia. On July 31, the Continental Congress recommended to the government of Pennsylvania forthwith to make prisoners of such of the late Crown and Proprietary officers and such other persons in and near Philadelphia as were disaffected, or might be dangerous to the public liberty, and to send them back into the country, there to be confined or enlarged on parole as their characters and behavior might require. Accordingly, a warrant was made out for the apprehension of the former Governor, John Penn, and his Chief Justice, Benjamin Chew. Some of the City Troop made the arrest. Both Penn and Chew for some time refused to sign any parole; Penn was at his father-in-law's house,

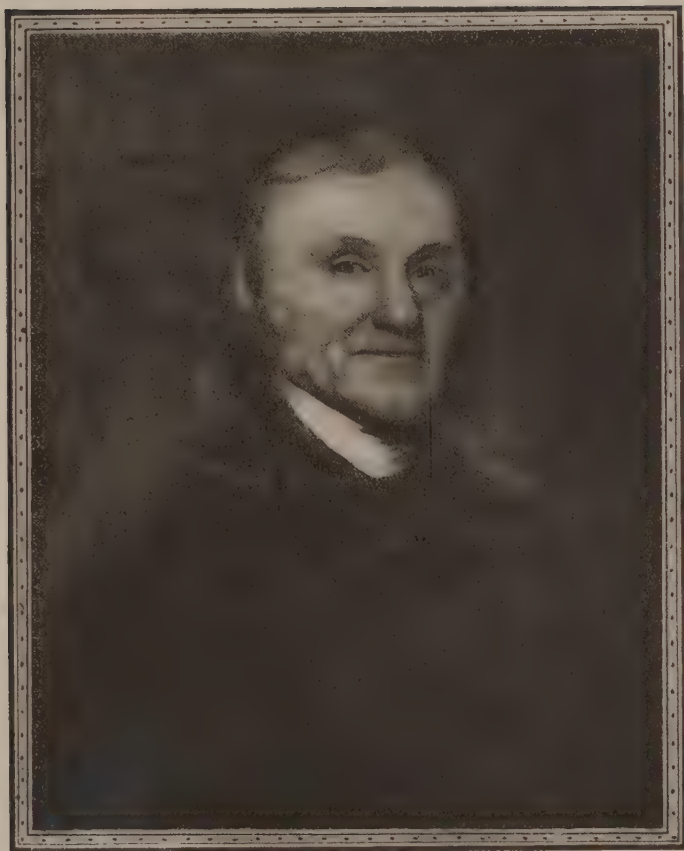
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awaiting the disposition of his person by the Revolutionary authorities, Chew was a prisoner in his own house, when Congress ordered them to be sent to Fredericksburg, Va., under care of an officer and six of the troopers. On August 13, through the Rev. Dr. Ewing, Presbyterian minister, Chew expressed to the Supreme Executive Council a willingness to sign the parole offered and gave the explanation that he had refused previously, not from any want of respect for the Council, but from a desire to have the cause of arrest inserted in the warrant, so as to show that he was not charged with any crime against the States, but was arrested as an officer of the late government. Finally, however, a parole was signed by both agreeing to repair to the Union Iron Works, partly owned by Chew's wife's uncle, and there remain until otherwise ordered, and meanwhile give no aid or comfort to the enemy. Penn and Chew resided at the works throughout the next ten months, although after the British had taken Philadelphia, a proposition was made to permit their return to the city. The danger from their being at liberty was over, and no overt act could be alleged against them to justify enforced exile from their homes, and that, moreover, in the season of winter. Finally, on May 15, 1778, Congress resolved that they be conveyed without delay into the State of Pennsylvania, and there discharged from their parole.

Congress having heard a rumor that the British had already landed at the head of the Chesapeake, recommended on August 25 that the authorities of Pennsylvania and Delaware secure and disarm all persons notoriously disaffected within those States respectively, and that the Council of Pennsylvania take at an appraisement all firearms, swords, or bayonets which should be found after diligent search in the houses of all inhabitants of the city of Philadelphia who had not manifested attachment to the American cause. The attitude of the Quakers now received the attention of Congress. The Meeting for Sufferings had by several testimonies, signed by James or John Pemberton as clerk,

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expressed the opposition which individually the members felt to the Revolutionary movement. The party in power were sufficiently disliking and distrusting the wealthy aristocrats, we might call them, whose religion made them obstructionists, when it so happened that General Sullivan found in the baggage captured on Staten Island a paper signed "Spanktown Yearly Meeting," probably a name taken by some Tory spies, as there was no such Yearly Meeting, asking questions as to the location of American troops, and stating that Howe had landed prior to August 19. A committee consisting of John Adams, Duer, and Richard Henry Lee, reporting upon this to Congress, said that the disaffected persons of considerable wealth who professed to belong to the society of people commonly called Quakers would have it in their power, and no doubt it would be their inclination, to communicate intelligence and in other ways injure America. Therefore, Congress on the 28th recommended to the Supreme Executive Council of Pennsylvania the apprehension of all persons who had by their general conduct and conversation shown a disposition inimical to the cause of America, to be confined and treated in accordance with their characters and the security of their persons, particularizing Joshua Fisher, Abel James, James Pemberton (who was the assemblyman who resigned in 1756), Henry Drinker, Israel Pemberton (the old friend of Teedyuscung), John Pemberton (who was brother of James and Israel), John James, Samuel Pleasants (Israel Pemberton's son-in-law), Thomas Wharton Sr. (not father of Thomas Jr.), Thomas Fisher, "son of Joshua" (and son-in-law of William Logan), and Samuel Fisher, "son of Joshua," all Philadelphia Quakers, also asking that the papers of the Meeting for Sufferings of the Society of Friends in the several States be examined and any of political character be sent to Congress. Accordingly the Supreme Executive Council of Pennsylvania ordered the arrest of not only the eleven Quakers, but about thirty other rich or otherwise prominent persons. Two fashionable gentlemen named Stedman were sent to the State prison, but



Joseph Priestley

Educator; author; preacher; scientist; discoverer of oxygen, 1774, and several other valuable chemical gases and combinations; settled in Northumberland County, 1794. Engraved especially for this work from a painting in American Philosophical Society.

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most of those arrested, including all the eleven except John James, were offered the privilege of remaining in their dwellings on parole to appear on demand of the Council, and to refrain from injurious acts in speaking, writing, or otherwise, and from giving intelligence. A number refused and were placed in confinement at the Free Masons' Lodge. Israel Pemberton, Samuel Pleasants, and John Hunt demanded a hearing by the Council which was denied them. The twenty-two in the Lodge, learning of a resolution to send them to Virginia, signed a protest to the Council, and an address to the public, while eight of the Quakers sent a remonstrance to Congress, which advised the Council to grant a hearing. The Council replied that it had not time. It had, on September 5, offered to discharge such prisoners in the Lodge as would take an oath or affirmation of "allegiance to the Commonwealth of Pennsylvania as a free and independent State." This the twenty-two refused. On the following Sunday one of them, Rev. Thomas Coombe, a minister of the Church of England, and such as were Churchmen, gathered in one of the rooms for religious service. An hour later the Friends held meeting; some of the Churchmen at the end of their service came and sat with these. The final protest to the Council said that that body had determined matters against the prisoners which could have been disproved, and they had never communicated or held correspondence with any of the contending parties. On September 10, Rev. Thomas Coombe weakened, and gave his parole. Phineas Bond offered to give a parole of a certain kind; this not being allowed, he returned to go with his fellow prisoners into banishment, but, his name being then off the list, the guard would not take him. On the day of the battle of Brandywine, the twenty others, viz. : the three Pembertons, Henry Drinker, Samuel Pleasants, Thomas Wharton Sr., Thomas Fisher, Samuel Fisher, John Hunt, Edward Pennington, Thomas Aflick, Owen Jones Jr., Elijah Brown, Miers Fisher, Charles Jervis, William Drewet Smith, William Smith (broker), Charles Eddy, Thomas Gilpin, and

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Thomas Pike, who had a strange profession for this company, being a dancing and fencing master, were, in the name of liberty, which allowed them to be condemned unheard, protesting their innocence, forced into wagons, driven through the city and on the way to Staunton, Virginia, to reside far from home and their families as long as a majority of the executive board would see fit. Chief Justice McKean granted a writ of *habeas corpus*, but an act of Assembly was passed on the 16th giving any two members of the Council the powers which had just been exercised, and indemnifying all who might act under them, and prohibiting judges from allowing any writ to obstruct the proceedings. The Council thereupon ordered the lieutenant of Berks county, where the banished ones had arrived, to take their bodies into his custody, and convey them to Winchester, Virginia. This was doubtless intended as a fresh arrest under the powers in the act. At Winchester, where the inhabitants were much exasperated against Tories and Quakers, these chiefs of the Friends of Philadelphia were in danger of their lives. With much difficulty the lieutenant of Frederick county could save them from violence, although their conduct after arrival was such as could give umbrage to no one. Two of them died in Virginia. Thomas Pike deserted the company in February, 1778. In April the others were conveyed back to Pennsylvania, and from the seat of government, (then Lancaster), were taken to Pottsgrove, then in Philadelphia county, and there discharged. From Pottsgrove they made their way to the city of Philadelphia.

Owing to obstructions in Delaware bay, Howe's fleet rounded Cape Charles, and, taking three weeks from New York to the head of the Chesapeake, on August 25 anchored in Elk river, Maryland, as Washington, after marching through Philadelphia, took up a position between Chester and Wilmington. The British, after disembarking and making huts of corn stalks, were delayed by heavy rains. As they reached Elkton, the militia under Colonel Patterson and the Philadelphia light horse retired.

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Not without skirmishes was the advance. On September 3, the militia and light horse with 720 Continentals under General Maxwell, kept up an attack for some time, as two divisions of the British under Cornwallis and Knyphausen respectively began to march to Philadelphia. On hearing of the actual invasion of the State, the Supreme Executive Council of Pennsylvania issued a proclamation entreating all persons to march instantly to the assistance of General Washington to enable him to environ and demolish the only British army, it said, that remained formidable in America or in the world. Those addressed were asked to consider the wanton ravages, the rapes, the butcheries perpetrated in New Jersey and on the frontiers of New York and the prospect of Americans being "like the wretched inhabitants of India, stripped of their freedom, robbed of their property, degraded beneath brutes, and left to starve amid plenty at the will of their lordly masters." Washington's army took position behind Red Clay Creek. When Howe brought his army to attack the right flank on the 9th, the Americans had slipped away, and crossed the Brandywine at Chadd's Ford in Chester county, where they awaited the enemy. Sullivan commanded the right, Armstrong the left. Stephen's and Lord Sterling's divisions were under Sullivan. The British reached Kennett Square on the 10th. The next morning half their army, led by Howe and Cornwallis, moved up the Valley road, to cross at the forks of the creek; at 10 o'clock Knyphausen began a cannonade at Chadd's Ford. Sullivan was ordered to cross the creek above, while Washington with Greene's division was to attack Knyphausen; but Sullivan failed, Cornwallis effected the crossing which he intended, and came down upon the Americans. Stirling and Stephen faced his attack southwest of the Birmingham meeting house. Sullivan should have taken his division to their right, and when, from far on the left, he started to change his position, he was put to flight, losing his artillery. Under a fierce bayonet charge, the other divisions began to break. Washington's rapid march of about four miles with Greene's and

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Muhlenberg's and Weedon's brigades prevented the army from being surrounded. Knyphausen crossed at Chadd's Ford in spite of Proctor's artillery and the force under Wayne, which fought until threatened in the rear, and then retired in good order. At nightfall the Americans retreated, having lost about 1,000 men killed and wounded, Lafayette among the latter. Howe's army did not pursue in the darkness, and Washington reached Chester. Thence it went to Germantown and collected provisions and ammunition, battalions of militia meeting it at the Falls of the Schuylkill and Darby, while the public money of Pennsylvania was sent to Easton and the liberty bell and church bells at Philadelphia were sent to Bethlehem, the Market Street bridge removed and the boats at the ferries of the Schuylkill brought to the City side.

On September 14, the Assembly elected to the Continental Congress Joseph Reed, William Clingan, and Dr. Samuel Duffield, vice Jonathan Bayard Smith, resigned, and Wilson and Clymer, superseded.

Washington advancing to the Lancaster road, and Howe and Cornwallis leaving the neighborhood of Chester and making for that road through what is now West Chester and by Goshen Meeting and the Sign of the Boot Inn, which Howe made his headquarters, the two armies on September 16, were drawn up in order of battle near the White Horse inn on the Lancaster road and the Sign of the Boot inn on the road from Chester to Downingtown. There was a fight between Count Donop the Hessian and "Mad Anthony" Wayne without much result. A violent and incessant rain storm prevented any general action. Our army sustained a heavy loss in ammunition, the cartouche boxes being wet through; so it turned aside until a new supply could be obtained. The enemy advanced towards Philadelphia. Tom Paine tried to induce a defense of the city, suggesting a town meeting to be held on the 19th, and asked General Mifflin to take command, but he declined owing to the state of his health. At 1 o'clock in

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the morning of the 19th the alarm was given that the British had crossed the Schuylkill. Then all was in confusion. Everybody turned out of bed. The members of Congress fled to Bethlehem and thence by Reading to Lancaster. That day Washington passed the Schuylkill at Parker's Ford, leaving Wayne with 2,000 men on the west side to fall upon any detachment of the enemy or destroy his baggage. Cornwallis's column encamped within two miles of French creek at the Bull's Head and Mouth. After 10 o'clock that night Wayne at Paoli was surprised by a large force of British under Grey, using their bayonets only, killing and wounding about 400, taking 100 prisoners, losing 3 killed and 7 wounded. From this massacre, Wayne succeeded in saving his reputation by extricating his cannon and two-thirds of his troops. The British Light Infantry and Grenadiers crossed the Schuylkill at Fatland Ford in safety on the morning of the 22nd, but the main body did not cross until after midnight. On the 23d and 24th Howe's headquarters were at Norristown. Washington's army had gone in the direction of Reading. Wharton and his fellow councillors now left Philadelphia and started on their way around to Lancaster. On the 25th the British began an encampment at Germantown, Howe making Stenton his headquarters. On the 26th about 1,500 men under Cornwallis took possession of the city, amid cheers from a good portion of the populace, many women and children turning out to see them. An American flotilla held the river below, but by the rapid construction of batteries was repulsed in an attack the next day, a frigate and a galley being driven ashore. On September 29, Wharton and his councillors arrived at Lancaster, and held their first meeting there. The same day, the members of the Continental Congress left for York, which became the capital for some time of the United States. The Americans on the river Delaware sent down fire rafts with the tide to burn the British men-of-war outside, but the tide turned before it was possible to accomplish their purpose.

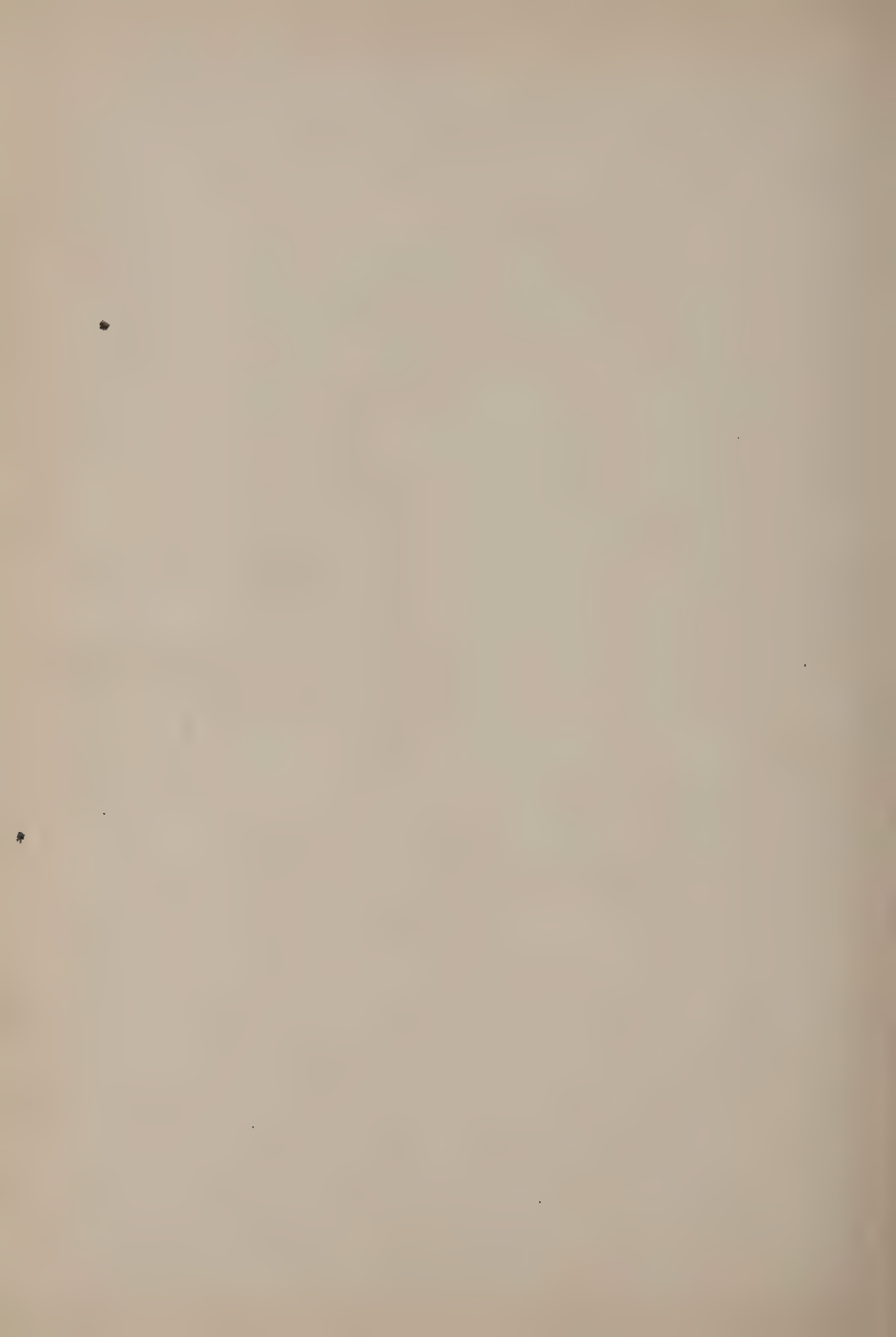
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Washington, who had moved on September 29 from Penny-packer's mill on the Perkiomen to Skippack, came five miles nearer Philadelphia on October 2, on which day the British captured the American fort at Billingsport. With a well matured plan for defeating the British army, during the absence of the detachment sent against Billingsport, Washington with between 8,000 and 9,000 Continentals besides militia marched towards Germantown on the night of the 3d. Under the command of Sullivan, the divisions of Sullivan and Wayne and the brigade of Conway came by way of Chestnut Hill down what is now Germantown avenue; Armstrong with Pennsylvania militia, down Ridge avenue, to make an attack at the mouth of the Wissahickon; under command of Greene the divisions of Greene and Stephen with McDougall's brigade down the Limekiln Pike; and Smallwood and Forman, down the York Road. After sunrise next morning in a fog the advance party of Sullivan's force surprised the sentries, and attacked the picket at ex-Chief Justice Allen's house at Mt. Airy, but the cannon fired by the picket gave the alarm. Sullivan's division was fairly successful when Wayne's came up, and the light infantry under MÜNCHAUSEN were driven down, the soldiers of Wayne doing great havoc with their bayonets, and in retaliation for the Paoli massacre giving no quarter, in spite of their officers. The stand which MÜNCHAUSEN's Hessians were enabled to make by the accession of the 5th regiment of the 2d brigade was but temporary. Conway on the flank, and Washington with Nash's and Maxwell's brigades under Lord Stirling bore down after Sullivan, and would have made the day fatal to the British, had not Musgrave, colonel of the 40th regiment, with six British companies, stationed himself in the stone dwelling house which had been the residence of Chief Justice Chew. Sullivan and Wayne separated one to the right, the other to the left of this fortress, which Washington called upon to surrender, and in a fruitless attempt to take which so much time was lost that Howe was enabled to reform his lines. Armstrong, reaching the heights of the



Carpenters' Hall, Philadelphia

Building erected by the Carpenters' Company of Philadelphia. Work started on building, February 5, 1770; occupied in unfinished condition by the Company, January 21, 1771. Building completed 1792. On September 5, 1774, the first Continental Congress met in this Hall



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Wissahickon, attacked the Hessian Jaegers, but reinforcements enabled them to make a successful stand. General Greene had received two-thirds of the American troops to make the chief attack on the British right, which was under Grant and Matthews, and extended along Church Lane to the Limekiln Road. The first battalion of British light infantry had been advanced the night before to where the latter road is crossed by what is now called Washington Lane, so this battalion was encountered half or three-quarters of an hour after Greene's belated forces should have begun the attack on Church Lane. Greene formed his line too far off, and it was thrown into confusion by the character of the ground. In a dense fog Woodford's brigade went off to the right, led by the firing to the Chew house, which Maxwell was cannonading from one side; and Woodford's artillery started to cannonade it from the other. Most of Stephen's division coming towards Wayne's, Wayne's men fearing they were outflanked, fled. The rest of Greene's forces got out of range of battle or pushed on without support to the market house, resulting eventually in the surrender of a whole regiment. West of the town, Sullivan's men, fearing like Wayne's that they were outflanked, broke and the British under Grey and Agnew swept up the main street, although Agnew was mortally wounded. Cornwallis brought troops from Philadelphia. Washington gave orders to retire, which the Americans did in good order, followed by the British for about nine miles. The British loss has been given as 13 officers and 58 men killed, and 55 officers and 395 men wounded, that of the Americans as 30 officers and 122 men killed, and 117 officers and 404 men wounded, and about 50 officers and 350 men taken prisoners. Armstrong's Pennsylvania militia went up the Wissahickon to Cresheim creek and thence engaged the enemy as the last on the ground. Greene and Wayne, the latter, at White Marsh, by turning cannon on columns of the British, stopped the further pursuit. The American army gathered at the back of Perkiomen creek with a part formed on a hill on the side of the

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road near White Marsh Church, and Washington at Penny-packer's mill.

On October 13, the Assembly at Lancaster established a Council of Safety, consisting of the members of the Supreme Executive Council and John Bayard, Jonathan Dickinson Sergeant, Jonathan B. Smith, David Rittenhouse, Joseph Gardner, Robert Whitehill,



Betsy Ross House

In which it is said the first "Stars and Stripes" was designed and made

Christopher Marshall, James Smith of Yorktown, Jacob Arndt, Curtis Grubb, James Cannon, and William Henry of Lancaster, with power to punish even capitally in a summary manner, and to take at their appraisalment any necessities for the army. This body on October 21, ordained that the personal estate of all inhabitants of the Commonwealth who had joined or should thereafter join the British army, or had resorted to any city or place in its possession, had carried or should thereafter carry provisions or intelligence to it, should be seized by commissioners appointed for that purpose, the perishable goods sold, the other effects liable to fall into the enemy's

hands removed or disposed of, and the money and other goods subjected to future disposition by the legislature.

On November 7, it was ordained in view of the impracticability of the old common law proceedings against "engrossing," that any person who should buy up more bar-iron, leather, salt, wheat, cattle, or other merchandise or victuals than proper for his own need and supply should for the first offence, forfeit the same; for the second offence forfeit and be imprisoned three months, and for the third offence stand in the pillory and forfeit all his other goods. This was not to apply to millers purchasing wheat, graziers purchasing lean cattle, or others purchasing goods for the

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purposes of their trade and occupation; but such dealers could not sell the same goods unmanufactured or unimproved by art. For fear that a high price for whiskey would raise the price of bread corn, only licensed sutlers could receive more than 8s. 6d. Pennsylvania currency for a gallon. The enemy being shut up in Philadelphia, the regular election for the Assembly was held in the rest of Pennsylvania. The new Assembly met the Supreme Executive Council and re-elected Wharton as President and Bryan as Vice-President on November 21, and the Council of Safety was abolished, after an existence of about seven weeks, on December 6th. On the 10th, the Assembly elected as delegates in Congress for the ensuing year Dr. Franklin, Robert Morris, Daniel Roberdeau, Jonathan Bayard Smith, James Smith of Yorktown, William Clinghan, and Joseph Reed.

On October 19, the main body of the British left Germantown, and encamped behind the line of redoubts in the Northern Liberties. With this line on the north and another on the south Philadelphia was a walled town from river to river. Although Billingsport in New Jersey had been taken, the Americans still obstructed the passage of the river to the men-of-war commanded by General Howe's brother, Admiral Lord Howe. Christopher Greene of Rhode Island commanded Fort Mercer at Red Bank, New Jersey, and Samuel Smith of Maryland, Fort Mifflin on Mud Island on the western side of the Delaware. Fort Mifflin sustained a bombardment on the 13th. Red Bank on October 21 repulsed an attack led by Count Donop, in which he was mortally wounded. A few days later General McDougal was sent by Washington to attack about 1,500 of the British at Gray's Ferry, while Sullivan and Greene were to make a feint down the Germantown Road. The advance party of Greene's division went as far as Three Mile Run. Sullivan and Greene waited between Germantown and the city for two hours after daybreak for the signal that McDougal had begun his attack, and then marched back to Whitemarsh; the enemy had called in the party at Gray's

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Ferry and McDougal had been obliged to return. The magazine on the British ship *Augusta* blew up on the 23d. The English forced the evacuation of Fort Mifflin on November 15, by sending to its rear without guns an East India ship, which they had so cut down as to draw little water, and for which they sent the guns on a raft after her. The English raised some of the *chevaux-de-frise* sunk in the river, forced a crossing from Chester, and completed the opening of the river by driving the Americans from Red Bank. Upon the evacuation, the American galleys went up along the Jersey shore to Bristol; such armed vessels as were deemed unable to pass east of Windmill Island were set on fire by order of the officers. On December 4, General Howe led out his army at 10 o'clock at night to attack Washington at White Marsh. The next day, General James Irvine at the head of some Pennsylvania militia was wounded and taken prisoner. On the 7th there was an engagement at Edge Hill, in which the British suffered most. On the 8th the British army retired, attempting no great manœuvre until the following summer, except the foraging expedition on which Howe led 7,000 men on December 22 by way of Darby, and which returned in about a week with some hay and 37 prisoners. The American army, half clothed, half starved, with bleeding feet, went to Valley Forge, beginning on the 19th an encampment for the winter.

Congress on November 7 made Mifflin a member of the new Board of War. The gloom over America after the loss of Philadelphia was such as to make people lose all confidence in their General, and when the brilliant victory of Gates at Saratoga came to brighten the prospect, it was natural to suggest that Gates was more competent. Dr. Benjamin Rush, signer of the Declaration of Independence, is believed to have been the author of letters to this effect. Pennsylvanians were clamorous for the retaking of Philadelphia. General Conway had written, "Heaven has been determined to save your country or a weak general and bad counsellors would have ruined it." The words reached Washington's

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ears, but Conway refused to apologize, and told Mifflin of his interview with the Commander-in-Chief. Mifflin was temporary head of the Board of War, but Gates became its President on November 27th, and Mifflin declared to Gates that Conway's letter was a "collection of just sentiments." On Mifflin's recommendation, Congress, in which there was always a faction against Washington, appointed Conway Inspector-General, and referred him to the Board of War, independent of Washington, for the regulations to be introduced. The internment of the army at Valley Forge called forth the remonstrances of the Continental Congress and of the Supreme Executive Council and the Assembly of Pennsylvania. Washington, in reply, says Bancroft, laid "deserved blame" on Mifflin for neglect of duty as Quartermaster, and pointed out the distressed condition of the troops. Congress in January appointed Gates, Mifflin, and Pickering of the Board of War to join a committee from Congress for consulting with Washington at headquarters upon a complete reform in the administration of the army. Bancroft says that those who had cavilled at Washington, being unable to shake the confidence of the people, wished their words benevolently interpreted or forgotten, and Gates and Mifflin asked to be excused from serving on the committee.

Mifflin was made a Major-General in February, 1778, and the Quartermaster-General's duties were intrusted to General Greene on the 2d of March. When, however, Mifflin requested leave to join the army, Congress desired Washington to make inquiry into his conduct, and if the distresses of the army were attributable to him or to his inferiors, to order a court-martial. Mifflin, never obtaining an examination, offered his resignation, but Congress refused to accept it, and, notwithstanding the state of his health, he served all through the war. Congress, which seems always to have trusted him, placed in his hands a million dollars to settle the claims incurred during his administration of the Quartermaster-General's department, and in January, 1780,

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appointed him member of a board to devise means for retrenching expenditure.

Galloway had accompanied the expedition against Philadelphia. After it was taken he was appointed Superintendent of the Police of the City and Suburbs, of the Port, and of the Prohibited Articles. Thus he was for about five months of the British occupation the head of the civil government, and he was consulted on the business of almost all the departments of the army. Offering to raise a regiment of Provincial light horse, he obtained authority to raise a small troop. He found the recruits, and properly disciplined them. He also gathered a company of Bucks county refugees, who served without pay; and with these two bodies, he carried on various small military enterprises against the Americans. By act of March 6, 1778, the Assembly of Pennsylvania attainted the following persons of high treason unless they should appear by April 20 and stand trial, and provided for the sale of their estates, viz.: Joseph Galloway, John Allen, Andrew Allen, William Allen, James Rankin of York county, Rev. Jacob Duché, who had made the prayer at the opening of the first Continental Congress and since had been chaplain to Congress, but had afterwards prayed for the King, Gilbert Hicks of Bucks county, Samuel Shoemaker, a wealthy Quaker alderman, son of the Shoemaker of Penn's Council, John Potts of Philadelphia county, Nathaniel Vernon, once sheriff of Chester, Christian Fouts, formerly lieutenant-colonel in the Lancaster militia, Reynold Keen of Berks, and John Biddle of Berks, because they were adhering to and assisting the British army and remaining with it in Philadelphia. It would be interesting to know how they could have found an opportunity to surrender themselves before any judge on April 20. Galloway's estate was worth, according to his testimony before the Parliamentary committee, at least £40,000 sterling. His house on the southeast corner of Sixth and High Streets in Philadelphia was appropriated by the State of Pennsylvania as a residence for the President of the Supreme Executive Council, but

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was afterwards sold to Robert Morris. By virtue of a power conferred in the aforesaid act of Assembly upon the Supreme Executive Council, that body issued a proclamation on May 8 and another two days before the British evacuated Philadelphia, commanding a great number of persons who had adhered to and aided the enemy by joining the army in that city, among them the old Indian trader George Croghan, to surrender themselves by a certain time to some justice of the Supreme Court or justice of the peace, and stand trial for treason, on pain of being attainted.

While Washington's army was shivering at Valley Forge, Wayne on the alert for partisan warfare in the lower part of New Jersey, St. Clair to secure supplies in the neighborhood of Chester and Wilmington, Franklin was achieving the independence of the United States by securing the assistance of France.

To local historians or society chroniclers we will refer the reader for a description of the festival called the *meschianza*, given by the British officers in Philadelphia on the 18th of May. In the imitation of a mediæval tournament, the unfortunate André and other knights of the Blended Rose or the Burning Mountain contended in honor of the pretty daughters of the fashionable coterie. General Howe was about to return to England, and be succeeded by Sir Henry Clinton. On the next day, Lafayette with 2,500 men and eight cannon crossed the Schuylkill to Barren Hill. Sending Grant with 5,300 to take position in his rear, Howe marched with 5,700 under Clinton and Knyphausen to overwhelm this important part of the American army. Lafayette escaped by Matson's Ford. Four days later, May 24, Howe embarked. On June 6, three British commissioners to effect peace, the Earl of Carlisle, William Ewen, and George Johnston, arrived in Philadelphia. The British army of 17,000 men, accompanied by Tory refugees, evacuated Philadelphia on June 17. Benedict Arnold, detailed by Washington, took possession of the city. Occupying during a part of his stay a handsome country seat (now in the Park), he lived extravagantly, and married Margaret,

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daughter of Edward Shippen, one of Governor Penn's councillors, afterwards Chief Justice of the State.

Thomas Wharton Jr., President of the Supreme Executive Council of Pennsylvania, died at Lancaster on May 23. The funeral was the next Sunday, attended by military, the councillors, and the Assembly. The body was interred in the Evangelical Trinity Church of that town. On June 26, the Council, with Vice-President Bryan in the chair, resumed meeting in Philadelphia, and in a few days discharged Edward Shippen, Provost Rev. Dr. Smith, and others from their parole.

After Mifflin, and on a par with St. Clair, the most important generals from Pennsylvania at this time were Wayne and Cadwalader. In education they were the inferiors of Mifflin and St. Clair, and about the equals of each other, both having studied under Provost Smith, but not graduated from the College. We do not know that either had "smelt powder" before the Revolution: otherwise Wayne's career, surveyor, farmer, assemblyman, vestryman, had been about the same as Washington's, Washington being older and his wife wealthy. Cadwalader's family were somewhat more important in Pennsylvania than Washington's in Virginia, where in disregard of Washington's ability, Byrd had been talked of in 1759 as the successor of Forbes. Wayne, destined to become memorable for the taking of Stony Point in 1779, and to close his life in command of the army of the United States after a victory of transcending importance over the Indians, was in 1778, or had been, among those out of patience with Washington, while on the other hand Cadwalader remained the latter's great admirer. In the spring of this year, in answer to a letter, General Washington alludes with pleasure to the hope of seeing General Cadwalader in camp again, adding, "We want your aid exceedingly, and the public perhaps at no time since the commencement of the war would be more benefited by your advice and assistance than at the present moment and throughout all this campaign which must be important and critical." The British

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army on evacuating Philadelphia moved towards New York. Washington crossed the Delaware. At a council of war, Chief Justice Marshall says, of the seventeen American Generals, Wayne and Cadwalader were the only two who urged an attack, although Lafayette and Greene seemed to favor it, while General Washington was inclined to it. Washington ordered Arnold, then at Philadelphia, with a body of Continental troops and as many of the militia as could be collected in the city and in the country adjoining, to advance in the rear of the enemy, with the hope that General Cadwalader would be prevailed upon to take command. At a second meeting of the council of general officers, finding that he was supported by those in whom he felt confidence, Washington determined upon the measure which resulted on June 28, 1778, in the battle of Monmouth, in which both Wayne and Cadwalader were actively engaged. Certain remarks upon General Conway's behavior at the battle of Germantown brought a challenge from General Conway to Cadwalader, and a duel was fought, which private affair had a greater effect upon American history than many a skirmish between brigades, for it ended "Conway's Cabal." Conway was severely wounded, and, believing himself to be mortally so, repented, and expressed to General Washington his grief, adding, "My career will soon be over, therefore justice and truth prompt me to declare my last sentiments. . . . May you long enjoy the love, veneration, and esteem of these States whose liberties you have asserted by your virtues."

It was natural that the Six Nations were ranged in the Revolutionary War on the same side as Sir William Johnson's son and William Penn's grandson and the Quakers, and on a different side from the Scotch-Irish and the Connecticut settlers and the French. The British government offered a reward for the scalps of Americans. The whole of Pennsylvania beyond the Alleghanies then became subject to raids by the savages, accompanied, urged on, or quietly aided by English officers and colonists op-

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posed to independence. Troops were sent to protect Pittsburgh from the Indians who could be controlled from Detroit; but meanwhile Sakayenguaraghton, the Seneca king, determined to destroy the Wyoming settlement, and, summoning his numerous followers, took down the Susquehanna to the mouth of the Lackawanna Colonel John Butler, Superintendent of the Six Nations, with a



Corpse House, Lititz

Photo by J. F. Sachse

detachment of Sir John Johnson's Tory regiment called the Royal Greens. For a few days a force of over 1,000 savages lay concealed. On June 30, 1778, the Wintermoot family peaceably surrendered their fort near the head of the valley. On the same day eight of the seventeen men dwelling in Fort Jenkins were attacked when returning from work, two killed and scalped, others taken prisoners. On July 2, the fort was surrendered. Zebulon Butler, Colonel of a Connecticut regiment, Lazarus Stewart, now

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Lieutenant-Colonel under that colony, and other residents of the tract claimed by Connecticut, gathered at Forty Fort. They on July 3, decided to march out against the enemy, who allowed them to proceed far enough to be attacked on the flank by the Indians. Dennison's order to Whittlesey to change the position of the exposed division was mistaken for an order to retreat. A panic ensued. Those who were not killed outright were tortured to death; 227 scalps were taken and afterwards paid for by the British at \$10 each. Among the details of this massacre carried on in the night were the circles formed by the Indians around fires with the prisoners stripped naked running amuck, or tomahawked by a squaw, supposed to have been a queen among the savages at Tioga called Hester. The fort capitulated the next day, when the women and children were spared. All buildings far and wide, 1,000 houses, as well as forts, blockhouses, mills, were set on fire, and from a region thoroughly devastated the husbandless and fatherless made their way, some sent before the battle, others starting when they knew the extent of their loss, across the mountains to the Lehigh or down the Susquehanna. On the 8th the Tories and Indians returned to their homes for the time being. Communicating terror to the inhabitants down the river, and followed by the population of Northumberland county, where depredations had been committed on the West Branch, refugees came as far as Paxton, where on the 12th, William Maclay reported them "absolutely naked." The militia gathered at Northumberland and Sunbury. Below, the banks of the river were lined with people, who as far as possible had carried with them their effects. General McIntosh sent 340 men destined for Pittsburgh under Colonel Brodhead to the Susquehanna, and they proceeded to Briar creek, Penn's Valley, and Muncy. Congress agreed that Colonel Thomas Hartley should proceed from Philadelphia to Sunbury with all of his regiment except the detachment in New Jersey, which should join Colonel Kowatz and his troopers at Easton. The Council of Pennsylvania ordered militia to

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Sunbury, Easton, and Standing Stone. Hartley took command at Sunbury, and furnishing guards, the people of Northumberland county were induced to return and gather their harvest. Brodhead proceeded to Pittsburgh, and thence beyond the State.

Hartley, having a frontier from Wyoming to Allegheny to protect with only a few regular soldiers, determined to destroy the nearest towns of the enemy, and led about 200 rank and file from Samuel Wallis's at Muncy on September 21. The route, through swamps or rocks, over mountains and twenty times across the Lycoming river, was mostly by the Susquehanna path, pursued amid heavy rains. On the 26th the advance party, nineteen strong, fired at an equal number of Indians, killing the leader, and putting the rest to flight, but, unfortunately, causing the alarm to be given to those against whom the expedition was aimed: a few miles further they found where 70 warriors had slept the preceding night, and whence they had turned back. A deserter, too, had warned the Indians, as was learned when the expedition, reaching Sheshecununk, took 15 prisoners. Then a hurried advance, driving Indians on, was made to Tioga, and the town was burnt, and another prisoner taken. Butler, the Tory, had been there with 300 men, mostly in green uniform, a few hours before, but, as it was ascertained that a force 500 strong was fortifying itself at Chemung, only twelve miles away, Hartley was obliged to retreat, retracing his steps to Sheshecununk and then, crossing the North Branch, to Wyalusing. There, with whiskey and flour exhausted, they spent the night of the 28th, and devoted the next morning to killing and cooking beef. Those who marched home, 70 having left in canoes, were attacked in the narrows below Wyalusing three times, the third time in great force, but succeeded in defending themselves with a loss of only four killed and wounded. At Wyoming, three men going out to look for potatoes were scalped. Hartley, lest those who attacked him were in that neighborhood, left half of his detachment as a garrison there. Returning to Sunbury, and the term of his militiamen expiring,

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he appealed to Congress and the Council for troops. In November he went to the relief of Wyoming, which had been invested by the Tories and Indians while destroying all the settlements on the North East Branch as far as Nescopeck. His advance seems to have cleared the country of the enemy for the time.

In September, 1778, Abraham Carlisle of the City of Philadelphia, carpenter, and John Roberts of Lower Merion, then in the county of Philadelphia, miller, were convicted of treason to the State of Pennsylvania, not for bearing arms, for they were Quakers, not for betraying secrets or trusts, for they had never taken as far as we know any part in the Revolutionary movement, but the one for acting as keeper of one of the gates which Howe had set up when he established his entrenchments to enclose the city, and the other for some service as a guide perhaps to foraging parties. They were sentenced to be hung. To make an example of them was not called for, as it was not likely that the British would ever again by coming to Philadelphia tempt any one to commit such offenses. Upon the evacuation, instead of going with the British, they had remained, and accepted the situation, and, as it were, trusted to the magnanimity of the restored Americans. As both men had borne good characters, were past middle age,—Carlisle had a wife and children, Roberts was nearly sixty and had a wife and nine children,—petitions were sent to the Executive Council for the pardon or at least the reprieve of both, signed by ministers of the Gospel in the city, patriots, as well as others from various parts of the State, ten of the grand jury, and the two judges who heard the cases, and separate petitions for each respectively from all of Carlisle's jurors and ten of Roberts's, and the neighbors, relatives, beneficiaries of kindness, etc., bore with the petitions as to both as many and as illustrious signatures as any paper in our local history. Such an expression of public sentiment would have influenced a body composed of Philadelphians. But it was an age when men were hung for forging paper money, of which there was an instance three years before.

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and in the midst of these appeals the Council, on October 30, perhaps aiming to get money for public use, was issuing a proclamation against a number of traitors, including Andrew Elliott, son of Lord Minto of Scotland, and afterwards British Governor of New York, requiring them to surrender themselves on December



Cartoon of Revolutionary War Times

It represents English subjects milking and de-horning a cow—the American Colonies. Reproduced especially for this work from a wood cut by Benjamin Chandlee, in possession of D. E. Brinton

15 ensuing. The councillors had no predilection for Quakers, and four could not be induced to vote for mercy. So on November 4, the two men suffered death.

We turn with some comfort from that unnecessary cruelty to the message of the same Council to the Assembly a few days later recommending a law to manumit all infant negroes and to forbid the importation of slaves, so that without interfering with those then in bondage, the number of whom had been much reduced by

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the practices and plunder by the late invaders, slavery would die out.

Mrs. Fergusson of Græme Park, whose mother had been a stepdaughter of Sir William Keith, had communicated to Washington a letter written after the British had taken Philadelphia by the Rev. Jacob Duché, beseeching Washington to return to his allegiance to the King of England. After the arrival of the commissioners for effecting an accommodation based upon England retaining sovereignty, she communicated to Joseph Reed the statement of Governor Johnstone that if a reunion of the two countries were effected through Reed's influence, that gentleman could command £10,000 and any Colonial office in the King's gift, to which Reed replied that the King of Great Britain had nothing within his gift to tempt him. Reed was elected in 1778 one of the Supreme Executive Council of Pennsylvania.

On December 1, 1778, Reed was chosen President of the Council, receiving 61 votes, Bryan receiving only one, and James Read of Berks county one. Bryan was re-elected Vice-President, Joseph Hart receiving only one of the 63 votes.

Depredations by British and Indians and Tories on the Susquehanna induced the government of Pennsylvania to apply to Congress, and that body to order Washington to send a punitive expedition. Troops began to gather in April, 1779, at Wilkes-Barre, and Sullivan, to whom Washington confided the command of those to ascend the North Branch, made a road from Easton to Wilkes-Barre and marched with four regiments and Procter's artillery to the latter place in June.

On June 22, 1779, the Council issued a proclamation commanding a number of inhabitants of Pennsylvania, rather insignificant persons who had joined the British army either when in Pennsylvania or after it had gone to New York, to surrender themselves for trial on August 5.

At the end of July Sullivan with over 3,000 men went along the Susquehanna to Tioga Point. General Hand from Lancaster

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county, Pennsylvania, had part of the command. Thomas Procter, whose artillery was now in the Continental service, took charge of 214 boats, which safely transported the provisions. New York troops joined Sullivan on August 21, and on the 26th he started from Tioga Point up the Chemung. In a short time he drove the Indians out of about thirty villages, which he destroyed, including the capital of the Senecas. The Americans were on half rations. Shreve was left in command of 250 men at Fort Sullivan at Tioga Point, built between the two rivers. Here the expedition returning arrived on September 30, and from this point it moved back to Wilkes-Barre and afterwards the Continentals joined Washington's army.

Before Sullivan had started on his campaign, but when he could detach none of his troops, about 100 British and 200 Indians made a raid to the West Branch, and captured Fort Freeland and destroyed it, letting, however, the women within it go to Northumberland and Sunbury. A relieving party, arriving too late, was surrounded and half of the number killed. Boon's Fort had to be evacuated. Even Bedford county was in terror from the inroads of the savages. Colonel Daniel Brodhead in September went up the Allegheny and destroyed towns of the Senecas and Muncys.

CHAPTER IV.

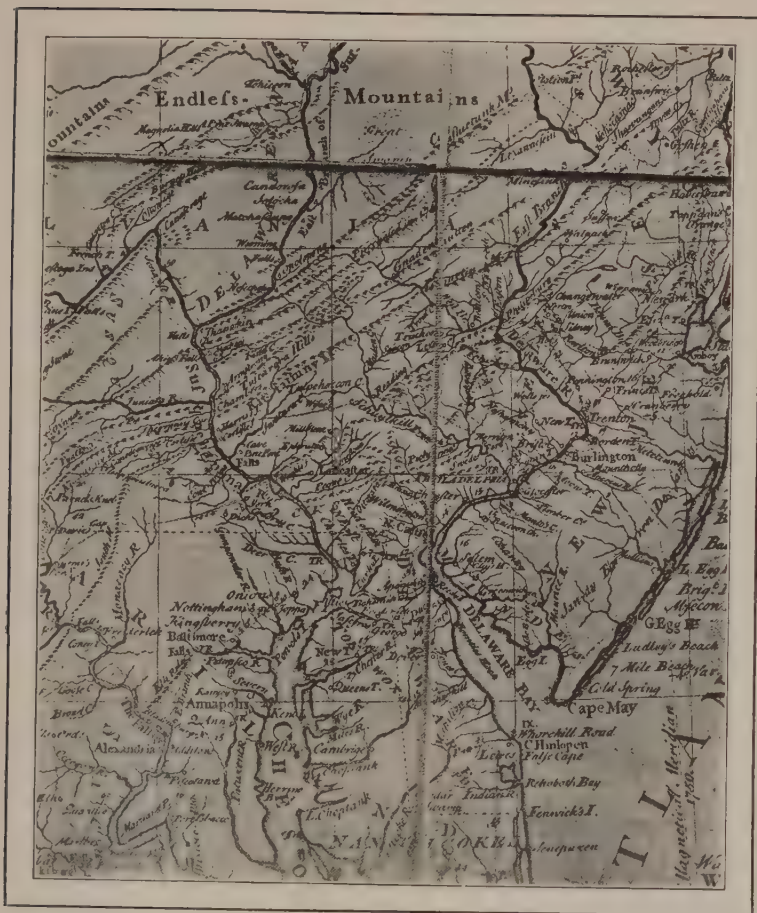
CIVIL AFFAIRS UNDER THE CONSTITUTION OF 1776

WHATEVER may be said against the Constitution of 1776, no other, nor any colonial charter, has ever placed at the head of Pennsylvania such able and distinguished men as Joseph Reed, John Dickinson, Benjamin Franklin, and Thomas Mifflin, who, with Thomas Wharton and William Moore, made up the succession of Presidents of the Supreme Executive Council. As hostilities ceased or service for the nation allowed a return home the first men in the community except Quakers and others disaffected took part in the local government. Thus Robert Morris, who, although voting against independence, signed the Declaration and labored for its fruition, who, when Congress fled to Baltimore in December, 1776, was chairman of the committee left at Philadelphia, and for some weeks, according to Sumner's Life of him, "may be said to have carried on all the work of the Continent," retired from Congress in the fall of 1778 under the provision for rotation in office and was then elected to the Assembly. He was at various times again chosen before and after as Superintendent of Finance; he, indeed, provided the ways and means for carrying on the war. In the winter of 1778-9 attacks upon Morris made some persons doubt his integrity in his former transactions for the public, while at the depreciation of Continental money, that is the rise of prices in the only circulating medium, the populace, which, by what was essentially mob law, had enforced the non-payment of Parliamentary taxes, turned its

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attention to the more biting question of extortion for the necessities of life. A public meeting of citizens of Philadelphia May 25, 1779, appointed a committee to fix prices on the first day of every month and to investigate cases of monopolizing, and through this Morris was held up to public obloquy for large profits on the retail sale of a cargo. Thus the most distinguished personage then in the government of Pennsylvania was discredited and was no counterpoise to Reed, who was now sitting in John Penn's chair with an influence like Galloway's over his rustic colleagues, while Morris was, as it were, the successor of William Allen in politics, being now the rich man.

Virginia was induced to accede to Pennsylvania's proposition to appoint commissioners to adjust the boundary. Pennsylvania appointed Bryan, Rev. Dr. John Ewing, and Rittenhouse; Virginia, James Madison and Robert Andrews. These met on August 31, 1779, and agreed that Mason and Dixon's line should be extended due west five degrees of longitude from the river Delaware for the southern boundary of Pennsylvania and that a meridian line drawn from the western extremity thereof to the northern limit of the State should be the western boundary. The Assembly of Pennsylvania ratified this on November 19, but Virginians proceeded to Fort Mifflin and occupied it. Congress recommended peace and the restoration of the status at the breaking out of the Revolutionary war. In March, 1780, the Assembly of Pennsylvania resolved to eject intruders under claims from other States, and authorized the President or Vice-President of the Council to raise companies for the internal defence of the frontiers. In a letter to the State's delegates in Congress, a contrast is made between the services of Pennsylvania and Virginia in the common cause: "We have raised troops only to oppose the common enemy : . . . instead of being employed to make conquests. . . . The staple commodity of the State has been locked up by a general embargo for the benefit of the United States, to the entire stagnation of all trade, while the staple of Vir-



Reproduction of an Old Map

In possession of the Historical Society of Pennsylvania. Photographed especially for this work by J. F. Sachse

Under the Constitution of 1776

ginia has had a free and general exportation. The loans of this State have greatly exceeded every other." Afterwards Virginia ratified the agreement and the southern line was so run in 1784 and the western afterwards.

Joseph Reed was the first Chief Magistrate of Pennsylvania who was a Presbyterian. He was not a Scotch-Irishman, but of a New Jersey family, and native of that colony, one of a group of lawyers whom the importance of Philadelphia had attracted thither just before the breaking out of the Revolution, Jared Ingersoll, Jonathan Dickinson Sergeant, and others, who soon became very prominent, and the sons of some of whom became even more prominent. It is noteworthy that the leading members of the Philadelphia bar before Horace Binney were with three or four exceptions born outside of the State. David Lloyd, John Moore, Andrew Hamilton, William Assheton, Tench Francis, and John Moland were natives of the British Isles. Chew, Galloway, and Edward Tilghman were born in Maryland and Dickinson in Delaware. Edward Shippen was the last great lawyer of the old *régime*: he was born in Pennsylvania, and so was William Lewis, a Chester county boy, who held almost the first place among the practitioners immediately following the Revolution, including James Wilson the Signer, from Scotland, Jasper Moylan from Ireland, and Alexander James Dallas from Jamaica. Binney was the son of an army surgeon from Boston who settled in Philadelphia during the Revolution.

When some of the suspected traitors were put on trial, James Wilson became counsel for the defence. McKean, the Chief Justice, afterwards Governor of Pennsylvania, a Presbyterian of Scotch-Irish descent, was a superior lawyer who gave a legal theory to the results of the war, and although a rough patriot was a just judge. The acquittal of several of the accused angered the militiamen of Philadelphia. An attack was made by two hundred men with cannon upon Wilson's house at Third and Walnut streets, afterwards known as "Fort Wilson," which with the loss

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of one killed and two wounded was defended by a number of his friends, Morris, Clymer, Burd, and other conservatives, gathered there with him in anticipation of an attempt to do him bodily injury. The First Troop supported him in this little civil war. Some of them, including David Lenox, afterwards president of the United States Bank, charged upon the mob and scattered it. Lenox's house in Germantown was surrounded by a mob at night, but he was saved by fellow troopers. For a time all the defenders of Fort Wilson were in danger of their lives from the sympathizers with the killed or wounded assailants.

The new powers of Pennsylvania determined to suppress the College of Philadelphia, then under the control of a "disaffected" provost and of Morris, Willing, and John Cadwalader and some "disaffected" as trustees, and to establish in its place a great educational institution reflecting the dominant political party and controlled by the public; a conception which gives some respectability to a measure started, it would seem, as a matter of spite against fellow patriots. After Reed had been re-elected President, and William Moore elected Vice-President, Bryan being now in the Assembly, the Assembly on November 27, 1779, passed an act re-incorporating the college and its academy and charity school with a new set of trustees, calling them the Trustees of the University of the State of Pennsylvania, among whom were the President and Vice-President of the Supreme Executive Council, Speaker of the Assembly, Chief Justice of the Supreme Court, and Judge of the Admiralty *ex-officio*, and also the senior ministers of nearly all the religious denominations. The Supreme Executive Council was authorized to appropriate portions of the confiscated estates to the support of the institution. A Presbyterian minister, Rev. Dr. John Ewing, now became its head.

All the confiscations by which lesser men were punished are cast into the shade by the great Divesting Act. On the same day that the college was reformed, the Proprietary family were deprived of their lordship of the soil of Pennsylvania, their unlo-

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cated and unappropriated lands and the quit rents which had been reserved outside of their manors. This destruction of the greatest private estate in America, of an estate which could it have been preserved until the present day would have been enviable even by the greatest of American plutocrats, was a natural result of the war, and was necessary. In the doing of it, the representatives of military democracy showed moderation. They saved to the Penns all manors which had been surveyed for them prior to July 4, 1776, and the quit rents reserved out of lots sold from those manors; and moreover for fear that John Penn the elder and John Penn the younger, reduced to the position of well-to-do gentlemen, were not sufficiently provided for, or had been despoiled of too much, there was voted to the heirs and representatives of Thomas and Richard Penn the sum of £130,000 sterling, payable after the end of the war. Of course this was not the equivalent of what had been taken; and in consideration of such losses the British government for over one hundred years paid to the representative of the Proprietaries an annuity of £4,000, and has recently commuted it for a principal sum.

The majority of those in Pennsylvania who supported the declaration that all men had an inalienable right to life, liberty, and the pursuit of happiness were, after all, consistent, and Bryan, who seems to have disregarded these rights even to the point of maliciousness in the great business of preserving and defending the new government, carried through the Assembly in 1780 the gradual abolition of slavery. The Quakers partly forgot their woes on hearing of an act of which they so much approved.

On November 14, 1781, William Moore, after two years as Vice-President, was almost unanimously elected to succeed Joseph Reed, who had been three years President. General James Potter was chosen Vice-President by 38 votes against 28 for James Ewing.

On November 7, 1782, John Dickinson was elected President by 41 votes over Potter, who received 32, and James Ewing was

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elected Vice-President by 39 over Potter, who received 34. At the end of Dickinson and Ewing's first year they were unanimously re-elected.

Congress having at the request of both Connecticut and Pennsylvania appointed a commission to decide the title to Wyoming and vicinity, the commissioners met at Trenton on November 12. They decided never to give the reasons for the determination they should make and to announce that determination as unanimous, and then on December 30, after hearing argument, determined that the jurisdiction and pre-emption of the territory belonged to Pennsylvania. This was not intended to decide the private rights to the soil, and four of the commissioners wrote to President Dickinson urging the keeping of the peace until these private rights could be determined, the fifth commissioner suggesting an act of the Assembly for confirming all acquired under Connecticut. Dickinson issued a proclamation asking the Pennsylvanians to forbear until action by the Assembly or the courts, and the Assembly stayed all writs until the end of its next session. In 1787 the Assembly confirmed the title of all who had settled before the decree made at Trenton who should make claim before Frederick A. Mühlenberg, Timothy Pickering, and Joseph Montgomery, commissioners. Pennsylvania claimants losing some lands by the proceedings under this act, it was repealed on April 1, 1790. Finally in 1799 the whole matter was compromised by an act under which compensation was to be made to Pennsylvania claimants.

The treaty of peace with Great Britain prohibited any future confiscations, and provided that any persons could come to the United States, and remain twelve months unmolested in their endeavors to obtain restitution. Such of the opposers of independence as remained in Pennsylvania gradually resumed the standing natural to their abilities and family connections, and when a political party was formed on the side of the mercantile interests it was glad of alliance with them, and when the first

Under the Constitution of 1776

President of the United States established in Philadelphia what has been called "the Republican Court," the gay world embraced those who fifteen or twenty years before would have formed the social circle of Livingstons, Schuylers, Lees, Randolphs, and Izards visiting the city.

The Censors provided for in the Constitution of 1776 were chosen in 1783. Frederick A. Mühlenberg, afterwards Speaker of the United States House of Representatives, presided at their meeting. After a committee had pointed out the defects of the Constitution itself, the majority, including Anthony Wayne and Arthur St. Clair, unable to obtain the consent of two-thirds so as to call a convention to amend it, issued an address to their fellow citizens, asking them to consider the committee's report and to instruct the minority to enable a change to be made. The Censors adjourned until June 1. Eighteen thousand names appeared on a petition against a convention. On September 16, 1784, by 14 to 8, the Censors declared that there did not appear to be any absolute necessity to call a convention.

On October 23, 1784, at a treaty between the "Thirteen Fires," as the Indians called the American Confederation, and the Six Nations, the "Quaker State" bought the land within its boundary of its right of pre-emption not formerly purchased by the Proprietaries. This enormous tract extended from Tioga Point to the western boundary of Pennsylvania and from the New York line to the West Branch, the lower Allegheny, and the Ohio.

Benjamin Franklin succeeded Dickinson in the fall of 1785 and Charles Biddle succeeded James Irvine, who had been Vice-President a year. In two years Biddle was succeeded by Peter Mühlenberg, the preacher who turned general. He resigned, and his second year was finished out by David Redick. Franklin served three years.

Thomas Mifflin, who, after his military service, held the exalted position of President of the Continental Congress when Washington resigned the command of the army, was President of the

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Supreme Executive Council from November 5, 1788, until the Constitution of 1790 went into effect. George Ross was his Vice-President.

Congress having arranged to satisfy Pennsylvania's need for an outlet on Lake Erie, a purchase of the tract so to be ceded by the United States was made from **Cornplanter** and other Indians in 1789.

When with the consent of Pennsylvania a new Constitution for the United States, framed by a convention which met in Philadelphia, had been adopted and was going into effect, the Assembly in obedience to a changed popular sentiment arranged for the people of the Keystone State through a convention to overthrow its first democratic Constitution without waiting for the choosing of another Council of Censors to call the convention in the prescribed way. The men chosen to this convention included Mifflin, McKean, Wilson, Hand, William Lewis the lawyer, and William Findley, as well as Albert Gallatin and Timothy Pickering, with men subsequently better known, as Simon Snyder and Joseph Hiester. Mifflin presided. On September 2, 1790, was dated the result of their labors, a frame of government like that to which every State in the Union has now become accustomed, with a Governor elected directly by the whole people, and a legislature of two houses, the members of both being chosen by the voters of districts based more or less upon population. The new Governor was elected that fall, and on December 21, 1790, Mifflin as such superseded the Supreme Executive Council.

CHAPTER V.

CONDITIONS OF PENNSYLVANIA IN 1790

FOR seventy years following the close of the Revolutionary war the stream of history in Pennsylvania flows in a more smooth and an ever-broadening channel. The struggle for independence has been fought and won, but the revolution itself is going on; henceforth the military actors in that daring scene will devote themselves to less heroic and less trying tasks; and as enfeebling age compels them to withdraw from daily toil, they find a solace in recalling the old days to interested friends and eager listening grandchildren. Once more with gleaming eyes they will tell of the midnight storming of Stony Point and the fight under the fierce July sun at Monmouth; of the pitiless winter life at Valley Forge and the blood-stained march to Princeton; of the siege of Yorktown and surrender of Cornwallis; of the long, weary marches through the sickly regions of the South, and of the final shots fired at Sharon Springs in Georgia. One by one they will cease to tell the wonderful story until the last survivor has told it for the last time and then disappears forever from life's stage.

While growing old and passing away, their places are filled by a younger generation, eager to achieve fresh victories in the world of nature, production and commerce, and under the inspiring breeze of freedom they are to multiply in number and increase in wealth as no other people of ancient or modern times.

With the triumph of the Revolution even those who had been opposed to the movement speedily acquiesced, though many years

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elapsed before all the bitter memories engendered by the strife could pass away. Yet time was working its subtle and effective ministry; the wounds of war were healing, and if the older ones could not wholly forget them, others were growing up who had not suffered. Self-interest also was a powerful eraser; every one believed that peace was final and that whatever else might happen, the old relation would never be resumed. As the separation was complete, all were alike interested in improving the new situation.

It is true that the future had not the settled aspect that, after more than a century of orderly government, now lies before us. Political discord and suffering had wrought their usual result and a federal constitution was adopted; nor could it have come earlier or in an easier way. That a strong federal constitution was needful was as evident to the man of intelligence in 1776 as in 1789, but the dissentient forces were not ready to yield at the earlier time, hence the people continued to suffer for nearly fifteen years more before the hard argument of necessity induced effective action.

The party of the constitution and of the Revolution, brave and brilliant as had been its work, was not destined long to control the current of political events. It is true that a party which had emerged as victor in a great contest might, under ordinary conditions, be supposed to have strengthened its position immensely and perhaps might have made its future secure for a long period. Such is the ordinary teaching of history. Why, then, was the party of the Revolution so soon overwhelmed? Two reasons easily account for that result. One was that the revolutionary party in Pennsylvania never constituted an actual majority, and ruled by the power of force rather than by the power of numbers. Again, by their strong course they were forming a cloud of wrath, the descent of which some day they knew was inevitable; and by its fall none were more conscious than they of destruction. The most they could do, therefore, was to invent and use devices

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for postponing the dreaded day. The election of John Dickinson as president of the Supreme Executive Council, in 1781, was a loud note of warning. Though the constitutionalists regained power in 1784, they could not long delay the repeal of the test oath act, and with the restoration to the people of their full political rights, the dominant party began to tremble for its existence. At the opening of 1790 parties were on the eve of a momentous change. The old ones were crumbling, and ere long the material elements were to be combined into entirely different structures. Among the results of their dissolution and reformation, was the breaking down the memories of war and the leading of all to unite on new questions and new political experiments. The abatement in influence of the Friends in politics was total. Their avowed principles of peace and reluctance to participate in the war of the Revolution completed the overthrow of their political influence. Thereafter they took no active interest in larger political affairs and attended to their private concerns, charities and other humanitarian efforts. Indeed their interest in men was perhaps increased by their withdrawal from public matters. The slave, whose condition had long engaged their attention, was the subject of still greater solicitude. While the American colonists were trying to break the shackles binding them to Great Britain, the Friends were trying to free the shackles of those in bondage, and before beginning a crusade with others, they started the movement among themselves. In 1774 the Pennsylvania Yearly Meeting took decisive action. A committee of thirty-four Friends, who had been appointed to consider what action should be taken, reported that those of their profession who were concerned in importing, selling or purchasing slaves and continuing them in bondage beyond the time limited by law or custom for white persons, "ought to be speedily treated with in the spirit of true love and wisdom and the iniquity of their conduct laid before them." If they were not brought to a proper sense of their injustice and willingness to do whatever was reasonable and necessary for re-

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storing slaves to their natural and just right to liberty, then the meeting was to proceed against them by the rules of the Quaker discipline "for other immoral, unjust and reproachful conduct." The Friends were also "advised and admonished against being accessory to the promotion of their unrighteous traffic," by "hiring slaves on wages." True to their position, two years afterward, the Yearly Meeting directed the Monthly Meetings to disown those "where their labors had proved unavailing," and before the



Seal of Committee of Safety

Revolutionary war had closed the Friends were no longer guilty of holding their fellow men in bondage.

But they did not stop simply with releasing them. Feeling that they had withheld from them what was their just right, the families of large numbers were visited, funds were raised for educating their children and "in some instances pecuniary compensation was made, varying according to the duration of their bondage."

Having first cleared their own people of slave ownership, they proceeded without delay to urge war on the system. At the Yearly Meeting of 1787 it was declared, "Let no opportunity be lost of discouraging the unrighteous business, and manifesting

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to the world the religious ground of our Christian testimony against this public wickedness." Congress was memorialized and the warfare thus begun was continued with persistence until it was destroyed. Having once clearly seen the truth, with the characteristic energy they have always shown in every cause, their efforts never for a moment flagged. At the period which we are now considering, all their force was turned to the extirpation of this ancient evil.



Seal of Assembly, 1775-1776

The year 1790 found one peculiar class of people, the loyalists, absent. Many had fled during the Revolutionary conflict, followed by a larger number after its success was assured. Some of them went to Nova Scotia and others to England, where they applied for relief to the government whose service had proved their ruin. In their behalf a committee was appointed, consisting of one from each State, to enlighten the British public and to secure action by the government. The King at the opening of parliament in 1783 alluded to the "American sufferers who from motives of loyalty to him, or attachment to the mother-country, had relinquished their properties or professions," and trusted that generous attention would be shown to them. A board of commis-

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sioners was appointed to examine these claims, but their work went on slowly; and the loyalists became dispirited. In 1788 a tract appeared, probably written by Galloway, in which the condition of the loyalists was forcibly described. The delay of justice had produced the most melancholy and shocking results. A number of the sufferers had been driven by it into insanity and become their own destroyers, "leaving behind them helpless widows and orphans to subsist upon the cold charity of strangers." The number of loyalist claimants in England, Nova Scotia, New Brunswick and Canada, all from the American colonies, was 5,072. Of these, 954 withdrew their claims or did not prosecute. The amount of the losses stated by the claimants was £8,026,045; of this sum £3,292,452 was allowed. The number of loyalists from Pennsylvania is not known.

The church recovered slowly. Many churches had been burned during the war and the apparent decline in religious sentiment had been such that the work of rebuilding was slow. Their charred ruins long disfigured many a prospect and the scattered congregations were again drawn together only with great effort.

Business had revived after a long period of depression, caused by the excessive purchase of imports on credit after the Revolution. The exportation of products had largely increased, prices had advanced and the farmers were animated with a new hope. The price of grain and other products at Pittsburg was fifty per cent. higher than it was half a century before at Philadelphia. In 1739 wheat was sold in that port for two shillings and nine pence per bushel, flour for seven shillings and three pence per hundred pounds and Indian corn for one shilling and six pence per bushel. "These truths," said the enthusiastic Coxe, "were interesting to the interior landholder and to the political economist." As business had improved, so had the condition of debtors. The constitution of 1776 provided that a debtor, unless there was a strong suspicion of fraud, should not be confined after the delivery of his property for the benefit of creditors. Similar provis-

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ions for the debtor class were inserted in the constitution of 1790. This was a long step in advance, for in almost all other nations debtors had been cruelly treated.

From the humane treatment of the debtor we may pass to the general administration of justice. The great figure of Chief Justice McKean, with his massive sense of right, and his severity of manner, is constantly before us. Yet he was honest and incorruptible, and was sternly bent on administering the law with intelligence. At the opening of this period he was assisted by other men of worth, and through the industry of Alexander J. Dallas in reporting and publishing the decisions, they were laying the foundation of a judicial system. It is true that the people for a generation did not comprehend the nature and worth of this system, and often accused the judges of deciding in an arbitrary manner, when in truth they were following a rule that had been laid down on some previous occasion. But the people in general knew of no law outside the statutory enclosure, and were slow to believe in the existence of a common law, slowly built up by English judges, to which the judges of the Province and State had made some changes and additions. In 1791 James Wilson, the most eminent legal scholar of his time, remarked in a report to the legislature on the revision of the statutes: "The acts of the legislature of Pennsylvania, though very numerous, compose but a small proportion of her laws. The common law is a fact and by far the most important fact of her system of jurisprudence. Statute regulations are intended only for those cases comparatively few in which the common law is defective, or to which it is inapplicable. To that law those regulations are properly to be considered as no more than a supplement. A knowledge of that law should, for this reason, precede or at least accompany the study of those regulations. To know what the common law was before the making of any statute, says my Lord Coke, 'is the very lock and key to let open the windows of the statute.' To lay the statute laws before one who knows nothing of the common law.

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amounts frequently to much the same thing as laying every third or fourth line of a deed before one who has never seen the residue of it." Thus the common law was a most important part of the legal system, and Wilson was truly wise in seeking to make its existence better known. Well would it have been had as much interest been taken in trying to find out the extent of the common law and a better knowledge of its principles. Instead of doing this, opposition to it began to grow until it reached a serious height. The people failed to comprehend its worth and seemed to regard it as an enemy. Instead of appreciating its worth and extent, they sought to destroy it and surround themselves with a statutory system.

The lower courts were in active operation, and juries still participated in the decision of many cases. There was some complaint in regard to the methods of drawing jurymen, but the system was still regarded with respect and veneration. Men were more inclined to perform their duty than they are now, and juries were more intelligent and of a higher order of citizenship.

An educational system existed, but it did not receive any popular support. It had its friends, but they were neither numerous nor influential. The constitution of 1776 had provided for the establishing of schools in each county, with such salaries for the masters, which were to be paid by the public, as would "enable them to instruct youth at low prices," while a university for the promotion of "all useful learning" was also encouraged. But something more than constitutional recognition was required to create schools. They could not flourish without a deep sense of their need. Everywhere they had been blasted by the war, as a grain field is laid low by a tornado. They were now slowly recovering, and in the formation of the constitution of 1790, the subject was warmly discussed. It was proposed to re-enact the clause in the former constitution, except that the State, instead of the public, should pay the masters. This did not provide for free schools, or free ones even to the poor. A mem-

Conditions in 1790

ber of the convention from Luzerne county, Timothy Pickering, proposed a more liberal measure. He "was from a part of the State where public schools had been for many years in operation under local laws; and, besides, he had come to Pennsylvania from



Chair occupied by Jefferson when he wrote the Declaration of Independence

Photographed and engraved especially for this work from the original in possession of the American Philosophical Society

Massachusetts, where such schools were common." Mr. McKean having proposed an amendment providing for the education of "the poor gratis," Mr. Pickering proposed the following substitute: "Knowledge generally diffused among the people being essential to the preservation of their rights, it shall be the duty of the legislature to provide for the instruction of children and youth.

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by the establishment of schools throughout the Commonwealth." This failed and the convention finally adopted an article providing that the legislature "shall, as soon as conveniently may be, provide by law for the establishment of schools throughout the State, in such a manner that the poor may be taught gratis." Such a provision, providing for a division of children into two classes, was destined to failure. In a republic, especially where so many had started in on nearly the same conditions, or were contending on essentially the same terms, the creation of a system of public poor schools was sure to receive no support, and so the system was branded with failure from the start. It was conclusive evidence of the lack of any intelligent comprehension of the subject. If education was in a doubtful condition, this could not be said of the population, for it was spreading westward rapidly. In 1790 the number given in the first federal census was 434,373. Of this number 28,522 were living in the city of Philadelphia and 54,391 in the county. The next most populous county was York, which had 37,747 inhabitants, though the figures for Lancaster were not far behind, 36,147. Berks stood the fourth, having 30,179, while Chester, one of the oldest, had 27,937. Bucks, Northampton and Montgomery had respectively 25,401, 24,250 and 22,929, while Washington, west of the mountains, had 23,866. No other county then had 20,000; Cumberland and Dauphin had nearly the same, 18,243 and 18,177. The population of Northumberland was 17,161, Westmoreland 16,018 and Franklin 15,655. Bedford had 13,124, Fayette 13,325 and Allegheny 10,309. The population of the other four counties, Delaware, Huntingdon, Mifflin and Luzerne, was respectively 9,483, 7,565, 7,562 and 4,904. Classified as free white males over sixteen years of age, there were 110,788; below that age 106,363, while all other free persons numbered 6,537. Of slaves there were 3,737 still living in the State. Most of them lived in the country and at this time there were not three hundred in Philadelphia.

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The slave system was surely disappearing, though in February, 1791, a bill was introduced into the General Assembly permitting officers of the United States to hold slaves in Pennsylvania. The bill was strongly opposed, especially by the society for promoting the abolition of slavery, and was promptly voted down. The people had long felt that it was an alien system, and though its worst features had never been known here, they were impatient to see the end.

The three original counties of Philadelphia, Bucks and Chester had multiplied by 1790 to twenty-one. To the three original counties none were added for nearly fifty years, then Lancaster was cut off from Chester in 1729 (May 10), and York from Lancaster twenty years afterward, 1749 (August 19), and Cumberland from Lancaster the following year, 1750 (January 27). Northampton was set off from Bucks in 1752 (March 11), and Berks from Philadelphia, Chester and Lancaster at the same time. Twenty years passed before the creation of any more counties, then in 1771 (March 9), Bedford was carved out of Cumberland. Northumberland was formed the next year (March 21, 1772), composed of parts of Lancaster, Cumberland, Berks, Bedford and Northampton. Westmoreland was created the next year (February 26, 1773) from Bedford, to which a part of the purchase of 1784 was added in 1785. The twelfth county to be formed was Washington, in 1781 (March 28) from Westmoreland, and Fayette also was cut out of it in 1783 (September 26), while an eastern county, Montgomery, was set off from Philadelphia in 1784 (September 10.) Franklin was created at the same time (September 9) and was taken from Cumberland. Dauphin was taken from Lancaster the next year (March 4, 1785), and Luzerne from Northumberland in 1796 (September 25). Huntingdon is nearly as old, 1787 (September 20), and was taken from Bedford. Allegheny was carved out of Westmoreland and Washington in 1788 (September 24), Mifflin from Cumberland and Northumberland in 1789

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(September 19), and Delaware from Chester the same year. Thus of the twenty-one counties, three were original. The next one was formed half a century later, three during the next three years and fifteen during the next eighteen years.

At the time of which we write immigration was strongly flowing into the State. The abundance of fertile and cheap lands, the healthfulness of the climate, the large measure of political freedom enjoyed by every one and the lightness of the taxes, formed a series of attractions to the immigrant almost without a parallel in the country. Ownership of the land gave to the possessor an importance that ought not to be overlooked. He felt that he was a freer and larger being than ever before, endowed with new energy and put on a higher vantage ground. The peculiar privilege had been granted foreigners by the legislature of buying and holding lands and houses without relinquishing their allegiance to the country of their birth. They could lease, hire, sell or bequeath lands and receive the rents. Indeed, they had every territorial and pecuniary right of native born Pennsylvanians. As they professed to owe allegiance to a foreign power, they could acquire no civil rights under any other, but, if they chose to become citizens of Pennsylvania, they acquired every right possessed by any other citizen. This right to purchase, hold and sell lands by foreigners had been originally granted for three years from 1787, and was continued for a longer period after 1790. At this period, April 6, 1788, John Penn, the governor and grandson of the original proprietor, travelled through the State and made some notes that are replete with interest. Starting from Philadelphia he passed through the township of Roxborough and on his way saw two meeting houses filled with people, another proof that the Friends were still faithful to their old traditions. If the soil was not so rich as in some other parts of the State, the country was beautifully diversified with cleared fields and forests. At a tavern where he alighted, he met a hoary-headed guest who invited him within, calling



William von Knyphausen

General officer in Army of Frederick the Great, 1775; second in command of 12,000 "Hessians," serving in battles of Long Island, White Plains, Fort Washington, Brandywine, Monmouth



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him the "honorable proprietor." "To show how qualified respect is in this democratical country," says Penn's account, "this discourse passed while he, the tavern keeper, and myself were lounging in three chairs, and I obliged to joke with him about his age." Mine host, too, told Penn about the condition of his finances, from which he concluded that he had recently petitioned for the relief of debtors.

Continuing his journey, he noted a change in the appearance of the buildings. In many parts of the State shingles were the "ordinary covering," but in this section the houses were covered with tiles made in the vicinity, and the barns were roofed with thatch. As he neared Reading he was questioned by a person concerning a manor of which he was the owner. He was shown the fertile valley and low places which were all settled by encroachers, while the mountains, lonely and lordly, still defied those who dwelt below. Reading, he thought, was finely situated on the river and sheltered by mountains. He dined with the only tavern keeper who had not voted against the confirmation of the proprietary estate. Here Penn went to a ferry, still belonging to him, that had been rented, and from there to a farm "belonging to the proprietors," which he intended to divide and sell in smaller parcels. The people, he found, were alive to the importance of improving the navigation of the river, and a subscription of £3,000 was being raised for that purpose. By so doing it was thought that the trade and property of the town would most rapidly increase. Penn adds, however, that "another plan much sooner to be executed is the establishment of a school." The trustees were to give the teacher £100 currency per annum.

Penn visited a farm belonging to General Mifflin that was near Reading. It included about 1,200 acres and was managed by a Scotchman. A large tract of meadow land of 100 acres was irrigated. A neighbor of General Mifflin's who attracted Penn's attention, was "one of the marrying Dunkers, who live in their own houses like other countrymen, but wear their beards long."

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From Reading Penn went to Womelsdorf. There was one place on the way that was "remarkable for its European appearance." The lands were all cultivated, and adorned with a "very handsome" church. But most of the way was lonely; the beauties seen were chiefly those of the wilderness; the trees were desolate, for they were without leaves. Here and there were green spots, dots of firs, especially on the hillsides,

"Forlorn and wild,
The seat of desolation."

Mills were passed whence the whitened miller doubtless emerged, and looked without knowing the grandson of Pennsylvania's founder was passing by. Then Penn rode through Lebanon and about sunset caught a glimpse of the Susquehanna "flowing between its woody and cultivated banks close to the town."

Thence Penn journeyed to Carlisle. The first buildings seen were three or four separate wings, intended for magazines originally, but granted by Congress to the trustees of Dickinson college for twenty years. The present college or school-house was a small patched-up building. Dr. Nesbit was then at the head of the institution. Penn found his landlord, though an Irishman, "possessed of the free and easy style to a great degree. It was difficult indeed to persuade him, for any length of time, that I was able to forego the pleasure of his society." In this neighborhood Penn had lands in charge of General Armstrong.

Returning to the Susquehanna, Penn rode along the eastern bank to Middletown. From the westerly bank stretched for many miles a vast forest. At Middletown he stopped with Mr. More, formerly a teacher of Latin and Greek at Philadelphia, who proved to be a warm tory, and "friend of passive obedience." Unlike many tories he is an enemy of the new constitution." Not far away was Blue Rock, the grounds around which were examined, and the resolution was formed to keep or purchase "near two hundred acres" for a country seat. The situation command-

Etched for this work by Max Rosenthal from the pastel by John Sharples
In Independence Hall, Philadelphia

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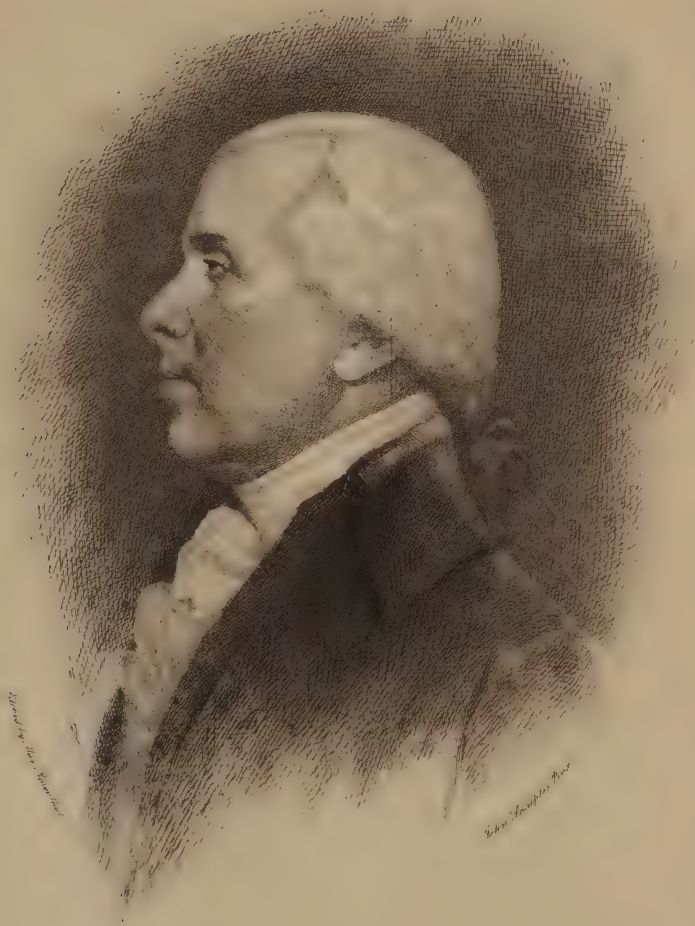
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ed the distant banks of the Susquehanna and several islands. Well might Penn have a longing to live and look on so fair a scene.

Penn talked with persons by the way. On his return through Lancaster he learned that the country was friendly to the new federal constitution. The argument was "that matters could not be worse, nor taxes higher." He was told of a farm of four hundred acres in that section which "brought £60 per annum clear of all expenses." The next stop was near Nottingham meeting house. To this society William Penn had given forty acres as a place of worship. The lands were seen from the tavern. The titles were in dispute, and the grandson, having his eye wide open to all the possibilities, remarked that he could gain little information of his "claims to these lands." Continuing his journey Penn reached Wilmington, and after a brief visit returned to Philadelphia.

The picture we are now trying to form of the State would be incomplete without a glance at some of the more conspicuous men who were then administering its affairs, making its laws, and guiding the people in education, religion, literature and other matters. Of these, Mifflin was the most conspicuous in the eyes of the people. Jolly, good-natured, uncritical, familiar with all, eloquent in speech, ready to serve the public or a friend, without malice, eager to forgive and forget a wrong, such a man was Mifflin. How different from McKean! Ever since 1777 the latter had been Chief Justice of the State and was ardently devoted to the American cause. He had passed through a severe ordeal and had come out unharmed. His judgments were formed with a rare intelligence; his integrity was never questioned, and so, notwithstanding his temper and arbitrary methods, his position in the social structure was as firm as a rock. No one thought of removing him if he could, because his most needful judicial qualities were so apparent.

Wilson, serene, broad-minded, theoretical, full of learning, speculative even amidst the most stirring scenes, lived and

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wrought his finished productions in striking contrast with the narrow customs of his time. Three men were conducting the principal newspapers of the day, Oswald, Duane and Fenno. Oswald edited "Freeman's Journal," and had too often felt the judicial rod applied by McKean. A kindly man, yet wielding often an acrid pen, he was often embroiled in quarrels, though with no one did he fare so badly as with the chief justice. Duane was an Irishman, who wielded a strong, vigorous pen, and with Leib for twenty years was one of the leaders in party politics. He edited the "Advertiser," changed later to "Aurora," while Fenno edited the "Gazette." Years brought disappointment, and the chilling of his ambition changed a kindly, hopeful nature into coldness and disregard for the world.

One of the most scholarly lawyers of the time was Ross of Reading, author of an excellent Latin grammar, while another of the same name was a solid, worthy lawyer of Pittsburg, who was the first choice for United States Senator. Dickinson was still living, hardly past middle life, but no longer a great force in society. His singular race as a public man was already run, although he lived eighteen years beyond the time we are now describing. Graydon, the most brilliant and piquant writer of the time, was living, serving as prothonotary for Dauphin county, partly by favor of Dickinson's vote as president of the Supreme Executive Council. Yet Graydon did not like him. His judgment, though severe, is worth giving, for a correct judgment of this extraordinary man is the most difficult to render of all the men of his time. "In his station as president," says Graydon, "Mr. Dickinson added not much to his reputation, in the opinion of either of the parties. By endeavoring to stand well with both, he, unfortunately, pleased neither. . . . Mr. Dickinson was very far from a consistent politician. Though so little of a Republican at the commencement of our Revolution as to haggle at independence, he became so outrageous a one in the sequel as to be an amateur of French liberty, and in respect to the parties in Eng-



Guard House at Indian School, Carlisle

Built by Hessians whom Washington captured
in 1776. Engraved especially for this work
from a photograph in possession of Lieut.-Col.
R. H. Pratt

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land, a Foxite professed. To account for this, for certainly there is a glow of sentiment in his writings which would promise better things, we must have recourse to some casualties in his public career. In the first place, then, from his supposed want of energy while in the first Congress, Mr. John Adams had, in a letter intercepted and published by the British, styled him 'a peddling genius,' and Mr. Adams, being afterward President of the United States, and then thoroughly anti-Gallican, might possibly have contributed to place Mr. Dickinson in the opposite ranks. Probably, too, the once celebrated Pennsylvania Farmer and writer of congressional addresses was not altogether pleased at finding himself in the background, and eclipsed by statesmen of less standing than himself."

Another leader whose race was nearly over, was George Bryan. Of Scotch-Irish ancestry, he was one of the most fiery, scheming and daring men of the time. He was especially disliked by the tories, and he reciprocated the feeling without abatement. West of the mountains were four men whose reputation was soon to fill the State and pass beyond. One of these was Albert Gallatin, a Swiss, who for twelve years was to be the sheet anchor of the administration of Jefferson and Madison; Brackenridge, afterward in Congress and attaining a fine reputation as a judge; Findlay, who also served with distinction as a member of that party, and Addison, who finally became the victim of party intolerance and was unjustly deposed.

Rittenhouse was still living. In 1789 he resigned the office of treasurer, which for thirteen years he had held with the confidence and approval of all parties. In his letter of resignation he informed the Assembly that his health was not good and he most earnestly wished to devote some of the few remaining hours of his life "to a favorite science." He had been annually elected by the unanimous vote of the Assembly, a circumstance on which he might justly reflect "with satisfaction." "He would not pay," he said, "so ill a compliment to those he owed so much, as

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to suppose the principal motive in these repeated appointments was any other than the public good, yet he was very willing to believe that a regard to his interest was not wholly out of view. He had accepted the office when it was attended with difficulty and danger, and consequently when there was no competition for it. Soon afterward a depreciated currency made it extremely burdensome without any prospects of profit. But if the embarrassments of the office had in general been little understood by the outside world, and if the rewards had been greatly exaggerated in public opinion," he was still more grateful to the several Assemblies, who, under these impressions, had nevertheless continued him so long their treasurer.

CHAPTER VI.

THE CONSTITUTION OF 1790

THE constitution of 1776 had been hastily prepared amid great excitement and was adopted with the determined spirit that characterized all public measures during the Revolutionary period. Only the extraordinary condition of affairs justified the strong methods that were employed to set aside the frame of government under which the people had so long lived. Even though it had become somewhat antiquated, it might have been improved by regular methods; nor would any more time have been needed in mending it than in constructing another. That the constitution amended in the regular manner would have been more acceptable to a larger number of people, no person would deny. But such an instrument would not have served the determined purposes of the leaders. They were animated with patriotic sentiments and certainly were mastered by them, although their action appeared to be arbitrary. They were filled with ambition and the love of power, but they were not utterly selfish men. The time had come when by vigorous methods they could get control, and they improved the opportunity. So they grasped the prize, knowing that in doing this they were sure to alienate a large number of persons whose wealth and influence it was most desirable, if possible, to retain. They were censured for what they did, yet it would be unfair to accuse them of dishonest purposes.

The chief objections to the constitution were the existence of a single legislative body, and a council of censors consisting of

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two men from each city and county in the State, whose functions in American history were of an unusual character. The first council of censors was elected in 1783, and the members were to hold office for seven years. They were to meet annually and inquire whether the constitution had been preserved inviolate; whether the legislative and executive branches of the government



St. Joseph's School House, Church and Residence, in 1776

From an old print

had performed their duty as guardians of the people; whether the public taxes had been justly laid and collected, and in what manner they had been used, and the laws in general had been executed. A majority of their number was sufficient for action on every matter, except the calling of a convention to revise the constitution; to do this, the consent of two-thirds was necessary.

There had been some question concerning the authorship of this unusual provision; it had been ascribed to James Cannon and George Bryan, both ardent revolutionists. Cannon was a member of the constitutional convention and a professor of mathematics in the College of Philadelphia. A critic of the time says

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of him, that "it may not be uncharitable to presume that, having little knowledge of men, and that scholastic predilection for the antique in liberty which generally falls to the lot of a pedagogue, he acted accordingly." Bryan was an Irishman, a great reader, a fluent talker, opposed to whatever was English, and though not a member of the constitutional convention, he was leagued with those who were, and the constitution of 1776 was unquestionably colored by his strong opinions. A writer who has carefully studied the subject of the formation of the entire constitution, says: "One may reasonably infer that it grew out of the combined views of the radical wing of the people's party, in which were Timothy Matlack, James Cannon, George Bryan, Dr. Thomas Young and Thomas Paine. Matlack and Cannon were members of the convention and of the committee for drawing up the frame of government; and the fact that George Bryan is associated with it leads to the inference that the views of the entire group found expression, in a measure, in the frame of government."

The constitution fairly reflected the political opinions of those who were opposed to the older one, besides preserving so much of it as the people regarded with favor. The single legislative body was simply a continuance of the old system, and so were the features relating to annual elections. Manhood suffrage was based on the payment of taxes and one year's residence. As the office of governor was swept away and as the people dreaded to give one man so much power, the constitution of 1776 provided for the creation of an executive council which should choose one of its number president. Indeed, one of the most radical departures in all the revolutionary legislation, after sundering relations with Great Britain, both in the Continental Congress and in the State Assembly, was the unwillingness to endow any person with much power. If the authority of Great Britain was feared, it is certain that the people did not put enough in the possession of any one to enable him to turn usurper and obtain supreme con-

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trol. In this respect the people were consistent in their action; nor did their leaders at any time show a disposition to abuse their trust. Though many errors may be ascribed to them, the abuse of power is not among the number. As all bills by the former constitution were to be printed for consideration by the people before they passed to a third reading, and then were to wait until the next session of the legislature for final consideration, hasty legislation was prevented. Naturalization required one year's residence, after which a person could vote, and the following year hold office. As the friends of the old constitution were greatly displeased with these radical changes, steps were at once taken to secure its amendment or overthrow. Whether it was better fitted than the old one for the times, the hasty manner of framing and adopting it was a great shock to the public. Though a single legislature was the continuing of the old method, and not the desire of Franklin, it was called a "mob government." Joseph Reed evidently thought that the seven years' delay before amendments could be made was its weakest feature, and many others shared this opinion.

Petitions were presented to the Assembly for amending the constitution, while a memorial addressed to the citizens of Pennsylvania, purporting to come from the members of the Republican Society, contained several eminent names. The petitioners ridiculed the idea that a second legislative house would not be like a "House of Lords," as was asserted by the council of censors, and on the occasion relieved themselves of their mental burden in vigorous expressions of disapproval. For nearly a hundred years the old system of government had been in operation without a thought of creating a second legislative branch. The Assembly had often been subjected to criticism for its action, but no person ever suggested as a remedy the creation of a second, or revisory body.

All effort to secure a revision of the constitution proved unavailing and public opinion smouldered in discontent, waiting for

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the first seven years to pass and hoping for a revision that would conform more to the wishes of a larger number of the people. The bitterness of some of the opponents to the constitution and to those who had gained control of the government was intense. "I have not time nor patience," so one of them wrote, "to mention in how many instances the Assembly had infringed the inviolable frame of government, or to point out the impropriety of some late appointments; it is sufficient to say that the late steps give infinite dissatisfaction to the men of property and understanding. The clamors of the red-hot patriots have subsided into easy places and offices of profit. The posts of mere trust go a-begging. No one can be found to accept them."

If the enemies of the constitution were numerous and bitter, it had likewise numerous and devoted friends. Its democratic character made it popular, especially in the interior counties. The prospect of "uniform and epaulets, with militia titles and paper money, making numbers of persons gentlemen who had never been so before," aroused this class to an unknown degree. New leaders came to the front and the ease with which they got into office and assisted in managing public affairs, yielded a pleasure all the greater because it was so unexpected.

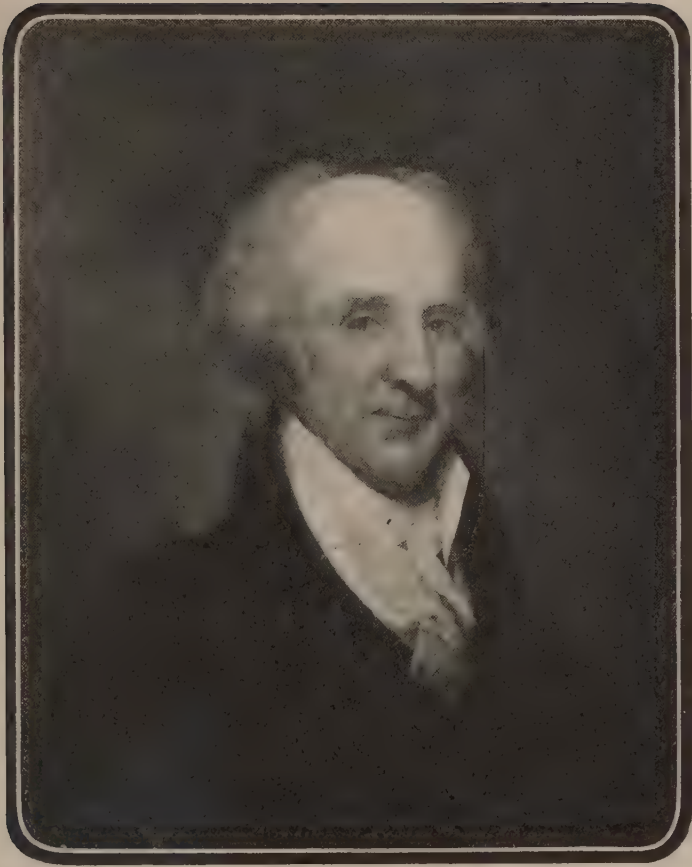
The Council assembled, as the constitution required, on the 13th of November, 1783, and Frederick A. Muhlenberg was elected President. A majority of the members favored amending the constitution, so that the legislature should consist of a house of representatives and a legislative council; that the executive power be vested in a governor with a veto power; that the assembly should consist of one hundred members and the legislative council of twenty-nine members; that the judges should be appointed by the governor to serve during good behavior, with fixed salaries; and that the council of censors should be abolished. These amendments were favorably regarded by twelve censors, while nine were opposed to them. The only method of adopting them was by a constitutional convention, and unfortunately two-thirds

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of the members must unite to do this. As more than a third was opposed, the council failed. The majority then issued an appeal in which it was declared that the constitution was faulty when compared with the constitutions of other States; that the majority, but not two-thirds, desired to amend it in ways that would render it less dangerous to the liberties of the people; that it was framed in the heat of party passion when a foe menaced the State and many of the citizens were absent on military service; that many who opposed it at the outset had submitted with the understanding that it should be amended; that seven years had elapsed and a minority that did not represent one-third of the people bound the majority, as if they were afraid to trust the people to frame a government for themselves; and that the proposed changes were not experiments, but had been tried in other States.

The minority also issued an appeal. They asserted that time had been wasted by the obstinacy of a small majority in trying to make a new constitution instead of considering the infractions of the old one; that the single executive, or governor, would be dangerous, and especially with the veto power; that the minority was manfully struggling to preserve the present constitution; that the proposed second branch of the legislature was in effect a "House of Lords." Then followed a pamphlet war on the action of the convention. Though highly seasoned, the pamphleteers did perhaps advance more reasons than are usually found in similar productions of those days, defending or criticising the constitution. The war lasted through the summer, but was not especially bitter. Each side earnestly contended for its opinions and felt that much was at stake.

On resuming its sessions, the Council took up the report of the committee appointed in the early days of that body, to inquire whether the constitution had been preserved inviolate since its adoption. It was thought that the instrument was clear in its principles and worthy of the respect of the people. The committee then considered the alleged infractions of the constitution, which,



John Armstrong

Officer in French War, 1755-1756, commanding Expedition at Kittanning; received the first Brigadier-General Commission issued by the Continental Congress, 1776. Reproduced especially for this work from an engraving in possession of John Armstrong Herman

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although they were of minor importance, were deemed proper subjects of investigation at this time, and especially so when the question of the life of the constitution itself was at stake. But notwithstanding the infractions the committee finally resolved "that there does not appear to this Council an absolute necessity to call a convention to alter or explain or amend the constitution." This report was adopted by a vote of fourteen to eight, a marked change in the opinions of some of the censors since their previous action. Let us inquire into the causes which had wrought this change. A petition signed by eighteen thousand persons had been sent to the Council of Censors, opposing all changes. This petition doubtless impressed the members. Then, too, George Bryan had been elected from Philadelphia to fill the vacancy caused by the resignation of a conservative, named Miles. The election of Bryan, a radical of the radicals, was an indication of the drift of public sentiment. Muhlenberg admitted early in the summer that the conservatives were beaten, and attributed it to the "blind passion and mad party spirit of the common crowd." Joseph Reed thought their chief mistake was in presenting too many amendments and that if only a few had been proposed, the needful two-thirds vote of the censors to hold a convention might have been secured. Bryan was severely attacked and was characterized as the Censor-General of Pennsylvania. In justification of their course the censors simply issued an address to the people and then adjourned. They admitted that there were defects in the constitution, but as they themselves could not agree on the changes needed, they had decided against calling a convention. They also set forth some infringements on the constitution, and regretted the lack of unanimity among themselves. This address, however, was not a unanimous product, for of the twenty-one, nine did not approve of it.

Thus the first session was ended, and the constitution, which had been assailed so long, still remained unchanged. This was a keen disappointment to those who had been patiently waiting to

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have the constitution amended; and yet, radical as were those in control and determined as they were to maintain the constitution, besides resorting to some strong war measures, they had done nothing to indicate an intention to overthrow the liberties of the people. They were fond of office, of power; this ancient sentiment could in no wise be stilled in them, yet they were true believers in liberty. The people had not yet learned the lesson that good government is, after all, more an affair of men than of constitutions. Penn went to the bottom of the matter when he said that good government depends far more on good men than on the wisest laws. The constitution was not the sheet anchor of liberty, but only the expression of it; this was a personal quality to grow and be preserved within people by personal action, and not by extraneous action.

The President of the Council, Muhlenberg, wrote a letter to his brother in the summer of 1784, during the adjournment of the Council, setting forth the prevailing feeling. He declared that blind passion and mad party spirit were so strong and bitter that its possessors "would rather put up with three times as many defects of the constitution than with the convention." But he also asks: "Is there not a real aristocracy where a few leaders of the party, by untiring effort, manage to withhold from the people" their own power? "Do they not betray a ridiculous fear that in a convention based upon equal representation of the people the people might alter the constitution?" Then he justly finds fault that 1,500 taxables in Washington, Bedford, Westmoreland and other back counties, which had paid little or no tax during the Revolution, should have as much to say in the Council of Censors as those from Lancaster or Philadelphia, which had borne the burdens of the State.

The discontent with the constitution did not die with the inaction of the censors. The old confederation was now expiring and the chaos was becoming darker than ever. Finally when all authority was gone, and the people had suffered enough from the

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lack of it, they were willing to adopt another constitution containing the principles of enduring life.

The same movement that led to the ratification of the federal constitution by Pennsylvania, stirred the waters in another direction. If the federal constitution could be ratified by a convention, why could not a convention be called to make and adopt another constitution for Pennsylvania? Out of this idea in due time grew a petition addressed to the legislature, asking that body to take needful steps to call a constitutional convention. Resolutions embodying the idea were presented for the consideration of the members. These were opposed, among others, by James McLane, who had been a censor and was opposed to the calling of a constitutional convention of 1783. The main argument was that the constitution of 1776 had provided a way for amending it, through action by the censors, and that any other would be unconstitutional and revolutionary. The committee of the whole debated the resolutions and reported to the House in their favor. The report declared that it was believed the people desired this in preference to that made by the Council of Censors, which was not only unequal and unnecessarily expensive, but too dilatory to produce the speedy and necessary alterations which the late change in the political union and the exigencies of the State required. Furthermore, the bill of rights recognized the people as possessed of all the necessary powers in the premises; that the members of the Assembly had mixed with the people of the State and found them desirous of having a convention called; that this proceeding was right and necessary. The report recommended that the members of the convention be elected in the same manner as members of the Assembly and on the same day, and the suggestion was added that the convention should meet, propose the needed alterations and amendments, submit them to the people for their consideration, and then adjourn four months previous to the final completion of their work. The resolutions passed by a vote of thirty-nine to seventeen.

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A correspondent of the "Gazette" declared that the Assembly had acted in accordance with the wishes of the people; that the Council of Censors was elected under the same vicious principle as that in which the constitution was framed; "each county, great and small, had the same number of voters, each had a vote." The people had tested the Council of Censors once and had been disappointed; they had proved an impassable wall to any improvement. Benjamin Rush, who had opposed the constitution of 1776, was still its enemy, and urged Timothy Pickering, of Luzerne, to become a member of the constitutional convention. He felt that the constitution ought to be changed to conform more fully "with the new continental wagon." Albert Gallatin was in favor of a change, but in the prescribed way, through the censors. He was a member of the convention and had a high opinion of the character and ability of the members. Indeed, there was a strong and general feeling, especially among the most intelligent, that the constitution of 1776 had been hastily framed and was inadequate, and was still more so with the changed situation of the later period.

On the 24th of November, 1789, the convention met to revise the constitution. Its members had been chosen at the annual election. The Assembly had directed them to frame such amendments as were necessary, publish them, and after an adjournment of four months to ascertain the will of the people, to reassemble and complete its work. So the censors were ignored and a method was adopted for forming a new constitution as revolutionary as that adopted for forming the constitution of 1776. The conservatives of that day who were trying to save the political ark in which they had securely floated for so many years, in turn became the radical element that sought to overthrow the existing constitution by a method unknown to the instrument itself, though it had provided a clear way for revision. Necessity, which was the justification of the actors in 1776, was the justification by the makers of the constitution of 1790. Each

IN CONGRESS,

The DELEGATES of the UNITED COLONIES of New-Hampshire, Mass. chacter-ly,
Rhode-Island, Connecticut, New-Jersey, Pennsylvania, the Counties of New-Castle, Kent,
and Sussex on Delaware, Maryland, Virginia, North Carolina, South-Carolina, and Georgia, &c,

W.

DO by the

and appointing you to be

and Confidant in your Patriotism, Valor, Conduct and Fidelity,

General

General

General

in the Army of the United Colonies

in defence of American Liberty, and for repelling every

hostile Invasion thereof. You are

by and diligently to discharge the Duty of *Brigadier*

General by doing and performing

of Things thereto belonging. And we do hereby

charge and require all Officers and

under your Command, to be obedient to your Orders as

Brigadier General

to observe and follow such Orders and Directions from

Time to Time, as you shall receive

of Congress, for that Purpose

the United Colonies, any other

in Pursuance of the Trust reposed in

or a future Congress. *Philadelphia*

This Commission to continue in Force until revoked by this

of Congress. *Philadelphia*

By Order of the Congress

John Hancock

John Hancock

President

President

First Brigadier-General Commission issued by the Continental Congress

Engraved especially for
original in possession of John Armstrong Her-
man

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party sent to the convention its most prominent men. On the Republican side, those in favor of a new constitution were Wilson, McKean, Mifflin and Pickering; among the Constitutionalists were the names of Findley, Smilie, Whitehill and Gallatin.

Already new parties had begun to form. The Constitutionalists had been divided into those in favor of revision and those who were not, and ultimately this change in amending the constitution led to still larger consequences. For some days the Republicans declaimed against the constitution of 1776, which surely tended to irritate the spirit of party and make things worse instead of better. Into this fermenting sea of talk Wilson did not plunge. The Constitutionalists felt themselves discredited in the eyes of the people by their strong opposition to the federal constitution, and were therefore desirous to reinstate themselves in public favor by a fair revision of the State constitution. Findley, the most influential and candid of these leaders, approached Wilson and between them an agreement was made concerning the mode of treating the existing constitution. Findley was to make a preparatory speech, of a conciliatory nature, and Wilson was to follow with a series of resolutions embodying the changes to which they had consented. Findley's speech was as politic as could have been desired. "Even though the present constitution might be good in theory," he said, "yet so many deviations had been made from it, so great a difference of opinion had always existed about it, and the voluntary election of the present convention was such a testimony of want of confidence in it, that it was vain to think of restoring its energy without essential alterations." The convention then proceeded with its work and for once party barriers appeared to be removed. The lines along which the constitution was to be altered were fixed with but few dissenting votes. The legislature was to consist of two branches, the executive to be vested in a single person, with a veto power; the judges of the Supreme Court were to hold office during good behavior and have fixed salaries, and the bill of rights was to be revised and the

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rights of the citizens more accurately defined and made to conform to the rest of the system. The two subjects which occasioned the warmest debate were the manner of electing the members of the senate and the regulation of the press. The committee on revision had reported in favor of choosing them through the medium of electors. Lewis, one of the most eminent lawyers of his time, urged that the senate should be chosen in such a manner as to form a check on the house of representatives, and the possible impurities of an immediate election by the people would be avoided by means of electors. In choosing the senators by a selected few, it was presumable that their choice would be more respectable and more influential than if chosen by the multitude, and so would partake in no small degree of the proper qualities of an upper house. Wilson had offered his amendment of election in the same manner as the representatives, except by larger districts, and the wisdom of this was questioned because the two houses would then be of precisely the same character, too homogeneous for either to operate as a corrective of the other. Wilson defended his plan with masterly ability. He contended that each body would operate as a check on the other by virtue of its *esprit de corps* and different periods of service, as the representatives were to be elected only for one year and the senators for four years. He urged, too, that the system of electors would open the door to unfair practice and intrigue; that the senators should be as favorably regarded by the people as the representatives, and be inspired with equal confidence by feeling that they were equally the chosen servants of the people.

Graydon says that the debate seemed to turn upon the idea that this was a contest between the principles of democracy and aristocracy, and that great advantages would be gained to either that might prevail. Wilson, hitherto deemed an aristocrat, a monarchist and a despot, as all the federalists were at that time, found his adherents on this occasion, with a few exceptions, on the democratic or anti-federal side of the house. In the end Wil-

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son triumphed and the elector system was rejected; and with it the proposed scheme for "protecting wealth" also fell to the ground.

The regulation of the press was another subject of animated debate, and the question was whether the truth should be received as a justification on prosecutions for libel. The lawyers were divided. Graydon was among the "simple voters," who thought that it ought to be given. Although absolved from his sin by federal opinion, as he afterward remarked, "I was then subjected to the imputation of wild innovation and democracy."

The new constitution was finally adopted without serious disturbance. The convention probably was the ablest State political association that had been convened for any purpose. Wilson and Lewis were the chief debaters on their respective sides. Ross, Addison and Sitgreaves were younger men, who, by the part they took, added to their early reputation. If Gallatin said less, and did not rise so high into the common light of men, he far outshone them at a later period. "Wilson," says Graydon, "was truly great, but enthusiastically democratic." The adoption of the federal constitution had put him in good favor with the people.

Wilson was one of the most famous characters in Pennsylvania history in his time and by far the greatest figure in the convention. He was born in Scotland, pursued his studies at Glasgow, St. Andrews and Edinburgh, and emigrated to Pennsylvania in 1766. At first a teacher in the College of Philadelphia, and also a law student in John Dickinson's office, he was admitted to the bar and settled at Carlisle, where he was living at the opening of the Revolution. He was already acquainted with the duties of public life, for he assisted in making the constitution of 1776, and of the federal constitution in 1787. He had served as a member of the Continental Congress, and had voted for the Declaration of Independence, to which he signed his name. He had also served as a brigadier-general of the Pennsylvania mili-

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tia, as advocate-general of France in America during the closing years of the Revolution, and represented the State in its controversy with Connecticut before the federal commission. Higher honors awaited him. In 1787 President Washington appointed him to a seat on the bench of the United States Supreme Court,



Scene of First Firing—Brandywine

Between Americans and Cornwallis' division, battle of Brandywine, showing where the road from Osborne's Hill crosses road near Birmingham. Engraved for this work from a negative by D. E. Brinton

and the following year he was appointed professor of law in the University of Pennsylvania.

It may be said of Lewis, Wilson's contemporary, that he was one of the most industrious and eminent lawyers of his day, who, with only the education of a country school, began the study of the law and by industry rose to the head of his profession. He had served in the legislature and later stood high in the convention.

In the convention there were many others who deserve more than a passing notice. There was Pickering, from

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Luzerne, deeply interested in education and trying to secure an amendment for which neither the convention nor people were then ready and must wait many years. He favored free schools supported by the State. Chief Justice McKean was a participant, but giving no sign of those strong democratic sentiments for which he became so well known during his executive career. There was Mifflin, then unconscious of the honors that were soon to fall on him as the first executive under the new constitution. There were Smilie and Findley, keenly sensitive to the sovereignty of the people; such were some of the men who figured in this body. Filled with the same hopes and fears and ambitions as men of our own time, members of differing parties and religious beliefs, they met for a common purpose, but how difficult it was for them to bring forth the best result from such discordant elements; from minds so swayed by personal and party interest, by religious convictions, by the hope or fear entertained of the wisdom or ignorance of the people, and especially of their fitness or unfitness to govern.

Having completed its allotted task the convention, on the 26th of February, 1790, adjourned to give the people an opportunity to examine its work. They waited more than five months for this purpose. Then on the 9th of August the convention re-assembled and three weeks more were spent in making minor changes. At last, on the 2d of September, the convention, with one dissenting vote, ratified and proclaimed the constitution to the people of the Commonwealth.

CHAPTER VII.

MIFFLIN'S ADMINISTRATION—1790-1799

HAVING adopted a new constitution, the end of the old order of things had come and the Supreme Executive Council was to be replaced by a real governor, and legislation was to be the honest product of two legislative bodies. Mifflin was nominated as the leader of the Constitutional party, and General St. Clair of the Republican. Mifflin's nomination was easily effected, for he reflected all the elements of his party.

The two parties were in an unusual condition. The party of the revolution had been the radicals and since 1776, with the single exception of Dickinson's term, had succeeded in keeping in power. To do this it had often adopted and enforced harsh measures; had enacted test laws and kept them in force long after the necessity for them had passed away, because it was known that their repeal would be accompanied with the crash of its downfall and the exultation of its enemies. For the same reason it had opposed the revision of the constitution, although well aware that it was defective, and seeing that revision was inevitable, it at last yielded quite as much as its opponents desired. Yet the attack made by Wilson on the elector plan for choosing senators was decisive for the Republicans and indicative of the great political change that was soon to come. For this great change the people were not quite ready. Perhaps the Republicans would have succeeded in 1790 had they nominated a man possessing more popularity than St. Clair. He had been a faithful but not

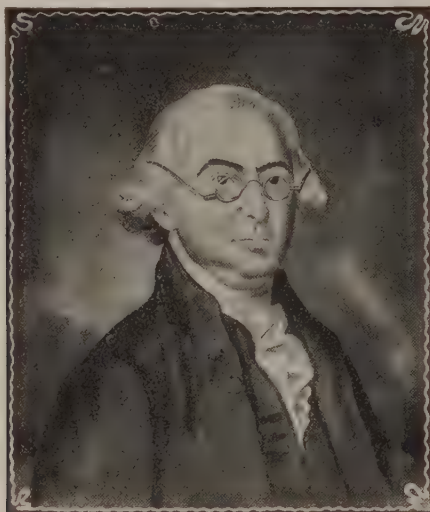
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conspicuous officer in the Revolution, and there was nothing in his career especially to recommend him to the more conservative elements in the Republican party who had never been inflamed with the war fever. He was nominated, believing that the real opponents of the Republicans would support him, and that his war record would draw others who had favored the Revolution. In other words, he stood for revolution, though nominated to a large extent by the anti-revolutionary party. At the head of his party at that time were Frederick A. Muhlenberg, James Wilson, Robert Morris, Colonel Miles, James Rush and others, who published an address recommending St. Clair. He had served as Governor of the Northwest Territory and was everywhere known and respected, yet was lacking in that popularity which Mifflin more fortunately possessed. In the address issued by the leading representatives of the Republican party, the two chief points they urged were his patriotism and Washington's regard for him. "His eminent abilities," said the address, "have rendered him as conspicuous in peace as his military talents and knowledge rendered him useful in war. . . . Nature seems to have formed him for public life; his amiable manners, his strict integrity, his comprehensive mind and extensive knowledge, his steady patriotism and his decisive and independent judgment in public affairs, all conspire to qualify him, in an eminent degree, to discharge the duties assigned to the office of governor by our new constitution." These things were true and yet he was no popular idol like his opponent. Though Washington seemed to have had a high regard for his abilities, he never had especially distinguished himself during the war. Mifflin was one of the most popular men in the State. He had all along favored a constitutional convention, for he saw the need of revising that instrument. He was forty-six years old, and though not of imposing stature, with a strong frame, he impressed others with his power and could endure much. A most cheerful, affable, companionable man, he won the regard of all by his warm and engaging manners. Besides

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his winning personal qualities, he was a fluent speaker, with a fine voice and animated manner.

When twenty-eight years old Mifflin began his public career as one of the two burgesses to represent the city of Philadelphia



James Wilson

Educator; statesman; delegate to Provincial Convention, 1775; Indian commissioner, 1775; signer Declaration of Independence, 1776; advocate-general for French government, 1781; counsel for Pennsylvania in Wyoming Valley land controversy with Connecticut, 1782; congressman, 1783-1785; member Federal Constitutional Convention; associate justice United States Supreme Court, 1789-1798

in the provincial legislature, and was elected the following year, having for a colleague the renowned Franklin. Early scenting the Revolutionary breeze, he was, in July, 1774, included in the list of delegates to the first Continental Congress. Of these delegates he was the youngest.

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When the news of the battle of Lexington reached Philadelphia, the people soon heard from Mifflin and learned what manner of man he was. A town meeting was called, resolutions were reported and addresses were delivered. The youngest of those who spoke, perhaps he was the most fearless. "Let us not," he said, "be bold in declaration, and afterward cold in action. Let not the patriotic feelings of to-day be forgotten to-morrow, nor have it said of Philadelphia that she passed noble resolutions, slept upon them and afterwards neglected them." What he asked others to do, he did himself. As men began to realize that resistance must take more serious form than words and resolutions, Mifflin enlisted, was appointed major, and departed for the military camp before Boston. After the evacuation of Boston he received from Congress the commission of brigadier-general. For a considerable period, also, he acted as quartermaster-general. After the disastrous battle of Long Island and after Washington had retreated through New Jersey and the people had become greatly depressed, Mifflin was besought to rouse the failing patriotism of the public, and he at once started on his mission. The inhabitants were assembled at every convenient place of public resort, and he contributed much to awaken a new hope. So noteworthy, indeed, had been his efforts that Congress conferred on him the rank of major-general. In relation to the charges brought against Mifflin as an officer of the American army and of the subsequent investigation by the order of Congress, Rawle says: "We may reasonably suppose that this procedure arose from clamors with which Congress was beset, and which they knew not how otherwise to appease. His particular friends might, indeed, have concurred in the measure from a desire of vindicating his character, and it is not improbable that the commander-in-chief was himself satisfied that no neglect of duty was imputable to him. We may account for the distress of the army, as proceeding from a variety of causes not imputable to General Mifflin. It is certain that he earnestly courted inquiry, and after waiting some time and find-

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ing that no proceeding took place, he indignantly returned his commission to Congress, and insisted upon being allowed to resign; but this application was not more successful than the former."

The closing of Mifflin's military career was not a withdrawal from public service. In 1783 he was appointed by the legislature of Pennsylvania a member of the Continental Congress, and soon afterward he was elected President of that body. While thus serving he received the resignation of the military commission of Washington, by which he had been borne "to glory and his country to independence." Ill-treated, poorly sustained, with an intriguing party behind and trying to overthrow him, amid all trials standing firm as a rock, Mifflin kept his own counsel, restrained his wrath, and kept his eye single to the path of duty. Nothing led him aside, nothing swerved him; no one knew better than he how numerous had been his enemies, or how great were his trials and his triumphs. In a short time after leaving Congress he was a private citizen, but not long. In 1785 he was again elected to the legislature, and three years afterward was a member and President of the Supreme Executive Council, succeeding Franklin. In forming the constitution of 1790, he presided over the convention, and in October of that year was elected the first Governor to administer it.

Mifflin's election was evident from the outset, for as there were no real issues, the result turned chiefly on his better known personal qualities. Parties had not yet become crystallized with definite issues, hence the personal popularity of their candidates largely determined their success. Such was the political tide on which Mifflin floated into the executive chair. His success was chiefly his own; he had builded his own house. With a new constitution which was satisfactory to almost every one, and a Governor hardly less so, the people soon settled into peaceful ways. It was a relief to feel that once more the country and the State were living under constitutional forms possessing real life

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and vitality. The Assembly chosen under the new constitution contained various political elements, many of them of exceedingly good quality, others somewhat indifferent, but taken together this first legislative body under Mifflin was representative of the different interests of the State and performed its difficult task to the general satisfaction of the public. But in its entirety the Assembly was a fairly representative body, in its personnel fully reflecting the times; its duties were performed fearlessly and honorably, and the criticisms put upon it by certain newspaper writers were not more than expressions of individual opinion, such as have been visited upon every house of Assembly from Mifflin's day to the second year of the twentieth century.

The Governor's chief political adviser was Alexander J. Dallas, who was appointed to the office of secretary of the Commonwealth. His biographer says the office was "unsought and unexpected." Dallas was then a young man, profitably practicing law, yet deeply immersed in politics. He knew the leading men in the State and maintained an active correspondence with Gallatin, Findley, Smilie, Addison and others who shared political sentiments in harmony to his own. Of undoubted ability, strong-minded, honest and incapable of meanness, he strongly impressed himself on all who knew him or heard him speak. Mifflin, realizing his worth, kept him in office during the nine years of his governorship.

After the adoption of the new constitution the course of legislation turned in various channels, for measures of great public importance required attention; and while some of these measures were for the promotion of internal improvements for the benefit of the people of the whole State, others were of less public character and appeared to favor individual enterprises, and therefore all were made the subject of criticism on the part of the non-progressive element of the community. One of these measures was that urged by the Society for the Improvement of Roads and Canals, and which contemplated the construction of highways and arti-

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ficial water courses at the expense of the State. This suggestion aroused a storm of opposition so great that the legislature was compelled to reject the proposition as originally presented and to pass bills providing only partial and doubtful encouragement for the enterprises sought to be established. In various quarters the proposed legislation for road and canal construction was de-



Scanneltown

Battle of Brandywine, 1777; halt on route of Cornwallis' division. Engraved for this work from a negative by D. E. Brinton

nounced as foul, deceptive and destructive, and the non-progressive element gladly took up the cry and sent its echoes far and wide throughout the State, until the legislative mind became so confused and led away from the true purpose of the measure that the work of development of natural resources in Pennsylvania was delayed for a score of years at least, and all interests were made to suffer. At a later period the feeling of opposition was overcome, the improvements originally contemplated were carried into

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operation and great good resulted thereby; and now, notwithstanding the truth of the fact that iniquities did creep into the system of public improvements established by the State, and the further fact that there was realized on sale but a small part of the outlay for construction, no person can honestly regret the expenditure of the millions of dollars in building up the great system of public works that ultimately gave Pennsylvania a standing among the progressive States of the Union. This special subject is treated elsewhere in this work, hence further allusion to it in this place is unnecessary.

In addition to the improvement of roads and water courses, the important measures which seem to have demanded early legislative action were those relating to banking and paper currency, the disposition of the public lands, individual and local needs resulting in general laws and "the expansion or contraction of local governing as correctives of defects in the more general administration of the State."

In his first message to the legislature the Governor referred to the need of improving the ways and means of transportation for the general welfare, and, on the other hand, the suggestions relating to bank legislation appear to have been interpreted as an attempt to confer special favors upon individuals, while the public welfare was made of secondary importance. This was the occasion of an outcry against class legislation, favoritism, and an arrayal of a moneyed aristocracy against the common people, which has been heard in all generations of the past—and is not unknown in the present—but was only the rantings of the demagogic element of that period. The object of creating banks was, is, and always should be, individual profit, and therefore public welfare.

Legislation concerning the sale of public lands was said to have been colored largely by the hope of personal gain as opposed to the true interests of the State. The same feeling that existed among land owners in Penn's time in opposition to him, continued

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after the State became the owner. The persistence in private legislation, though free from objection save that of wasting time and energy, and the slowness of the legislature in enacting general laws comprehensive enough to include nearly the whole field of private legislation, as in the example just given, was extraordinary.

The General Assembly convened on the 7th of December, 1790, and the Governor's address was read before the Senate and House. It described the financial condition of the State, the decrease of its debt, the need of revising many laws in consequence of the adoption of the federal constitution, the operation of the penal laws, in which it was stated that since the adoption of the new regulations respecting the confinement and labor of convicts the number of offenses had been comparatively few. The Governor referred to the importance of surveying the roads and rivers, of regulating wages and compensation of public officers and other matters.

Before the close of the year Governor Mifflin had a clash with the federal government. Several persons had been indicted in Washington county for forcibly carrying off a free negro into another State with the intention of selling him as a slave, which action was a plain violation of law. Governor Mifflin learned that the offenders had fled to Virginia, and he applied to the Governor of that State for their delivery as fugitives from justice. The application was refused, upon which the demand was repeated with more emphasis and formality, but still the Governor of Virginia refused to comply. In a message to the legislature, Governor Mifflin stated that if the negro was not lawfully emancipated, he could have been restored to his master on peaceable application to a competent tribunal; but if by the benevolent operation of an act of the General Assembly (which had long been esteemed an honor and an ornament to our code) he had obtained his freedom, the honor that had bestowed that blessing on him should protect him in the enjoyment of it. The Governor of

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Virginia sought to justify his action, but Mifflin continued to press the matter. Finally Congress enacted that fugitives from justice and persons escaping service to which they were held, were alike within the constitutional intent. During Mifflin's term as governor other questions than those of a political character and those relating to the system of internal improvements proposed for the general welfare, came up for discussion and adjustment. One at least of these had its origin in a period long antedating that of which we write, hence, to lay the foundation for that which was accomplished during Mifflin's term a brief summary of those earlier events is necessary.

From the beginning of the white man's occupancy of the country around the headwaters of the Ohio, that region had been a strange scene of dissension and strife. The title to the majestic gateway of the valley of the Mississippi was not settled till 1779; and a vague, undefined belief existed as to the extent and fertility of the valley lying beyond. If, therefore, the discovery of the fertility of western Pennsylvania in the last quarter of the eighteenth century began to draw many westward, the discovering that it was the portal to the largest and richest valley awaiting settlement then known, was ere long to draw far more. Stretching toward the setting sun for more than two thousand miles, the area of every eastern valley was, in comparison, dwarfed into insignificance. A few persons, not many, had crept over the mountains before the time of Braddock's ill-fated expedition. They had crossed at various places, the most frequented route being the northerly path leading to Fort Duquesne. After the peace of 1763, the wonders of the west began to draw settlement more strongly. At first, the people from Virginia and Maryland traveled in the largest number, and so great was the exodus that the English government was alarmed, for it made a strong pretence of protecting the rights of the Indians against the invasion of their domain. In 1763 the King issued a proclamation regulating the bounds and affairs of his new possessions, declaring

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among other things that the Indians must not be molested in their hunting-grounds, and forbidding every Governor from granting lands beyond the heads of the rivers that fell into the Atlantic. Nevertheless, as there were no penalties for violating the King's decree, the people continued to move westward, and as the governments of Pennsylvania and Virginia had nothing to gain by the movement they adopted a policy to restrain unlawful settlements, whether temporary or permanent, on the territory to which the Indian title had not been extinguished. So determined was General Gage, who was then at Fort Pitt, that he informed the Governor that if he wished to "take proper and legal methods to remove those who were then at Redstone Creek, which was within the province of Pennsylvania, the garrison of Fort Pitt would assist in the operation." Nor were these idle words. Action was taken to compel the newcomers to retire. They were informed that the commander-in-chief had ordered that if they remained their goods should be seized. The Indians, it was urged, would be encouraged by such an act of injustice, "and if accidents should happen," said that officer, "you lawless people must look upon yourselves as the cause of whatever may be the consequence hurtful to your persons and estates, and if this should not be sufficient to make you return to your several provinces, his excellency, the commander-in-chief, will order an armed force to drive you from the lands you have taken possession of, to the westward of the Alleghany mountains, the property of the Indians, till such time as his majesty may be pleased to fix a further boundary." Some of the settlers who had gone over the mountains believed this action was merely a ruse to pacify the Indians.

Not stopping with these measures, a law was enacted in 1768, visiting the death penalty, without the benefit of clergy, on all who settled on lands not purchased from the Indians. To obviate its force some purchasers hunted with the Indians and bought settlement rights from them; but squatter sovereignty still ruled in many places and was a source of discontent. The running of the

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southern boundary line in 1767 proved that the settlements around the head of the Ohio were in Pennsylvania. Governor Penn lost no time after this in securing a cession of the Indian rights to the western portion of the province. The result of these purchases from the Indians was to lessen the tension with them, but the difficulties arising from squatter settlement were not ended. Besides the continued tendency to take up lands without paying for them,



Howe's Headquarters

Battle of Brandywine, 1777. Engraved especially for this work from a negative by D. E. Brinton

the settlers did not know in what province they lived, and owing to the condition of things they were strongly inclined to maintain the position that they were under allegiance to no authority. This was quite in keeping with all their bold, adventurous ways.

Notwithstanding the establishing of the line between Pennsylvania and Maryland, Virginia was not disposed to accede to it, and in 1774 the strained feelings nearly resulted in open strife. In

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1774 Dr. John Connelly, by authority of Virginia, took possession of Fort Pitt, changed its name to Fort Dunmore, and issued a proclamation to the militia. These demonstrations led Arthur St. Clair, a magistrate of Hannahstown, to issue a warrant for his arrest. Connelly was forthwith taken into custody and imprisoned, but was soon released on bail. He returned to Augusta county, Virginia, which adjoined Pennsylvania, was made justice of the peace, then returned to Hannahstown in April following, and with a company of men marched to the court house, garrisoned it and forbade even the magistrates to pass without his permission. A meeting was then held by the contending parties and it was agreed to leave the question of the boundary to the decision of commissioners. Three days afterward, when three of the magistrates returned to Pittsburg, they were arrested by Connelly and sent under guard to Staunton, Virginia. Governor Dunmore, however, released them and they returned home. Negotiations having failed, Connelly continued to exercise authority over Fort Pitt. In the autumn Lord Dunmore appeared on the scene and issued a proclamation calling on all persons west of Laurel Hill to disregard the authority of Pennsylvania and give heed to that of Virginia. Governor Penn then issued a counter proclamation, but for more than a year Fort Dunmore was held by Dunmore and Connelly, and during that period many questionable acts characterized their course.

Congress at length took action in the matter. A circular was issued by the delegations from Virginia and Pennsylvania, asking for mutual forbearance and a peaceful solution of the difficulty; but the Virginia authorities were not moved by such mild advice, and another armed force, commanded by Captain John Neville, was sent to take possession of the fort. Soon after the coming of Connelly, in 1774, Lord Dunmore opened several offices for the sale of land and warrants were granted on payment of small fees. Penn had opened a land-office in April, 1769, and there were several thousand applicants the first day, the drawings being

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by lot in order to determine the question of preference. The lands most sought were those lying north of the Monongahela in Westmoreland county, to which locality Virginia had never made any claim. Favorable as were the proprietary terms, those offered by Dunmore were more attractive to settlers, hence many persons applied to him for land. In a short time he had established two county courts south of the Monongahela and one north of it, at Redstone, all within the Province of Pennsylvania.

The establishing of courts possessing conflicting jurisdiction in the same territory was the occasion of strange results. As judicial officers held commissions under both States, the laws they executed depended on the election by the people to whom they were applied. Many submitted alternately to the laws first of one State and then of the other, as they were moved by interest or caprice, while others refused to submit to any lawful authority. As soon as the proprietary land-office was opened, a proclamation was issued and the surveyors were instructed to respect the lands of actual settlers who had improved them to the value of £5 and not to survey them on warrants or locations of a date previous to the settlements, except to those by whom the settlements were made. Favored by this indulgence, which was usual in both Provinces, few of those who lived adjacent to the Monongahela, and had already occupied the lands, applied to the office for locations or warrants. They were not certain to which Province the soil belonged, and probably had a secret wish that it should belong to Virginia, because in that case it would cost them about one-fourteenth part of the price for which land was sold in Pennsylvania. When the boundary line was at last settled in 1779, many persons who were prejudiced against the laws of Pennsylvania, with others who had always adhered to the government of that State and were obliged to pay for their land, projected a plan for erecting a new State. By the terms of settling the boundary every person was to hold his land on the conditions under which he had first settled. As the new scheme was regarded as treason-

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able by a law of Pennsylvania, nothing further was attempted, but many of those who had strong prejudices against the government of that State sold their plantations and gave place to others.

The troubles with the Indians and Virginia were drowned in the fiercer strife of the Revolution. Then the people who had displayed so much energy in contending with their old foes, concentrated all their strength in the cause of American independence. Two regiments, known as the Seventh and Thirteenth Virginia, besides eight full companies of the Pennsylvania line, were raised in this region and gave excellent service during the war. Some of these troops served east of the mountains and others in the several expeditions against the Indians.

When the war closed, three counties were existing west of the mountains and new settlers were rapidly locating along the beautiful valleys of the Youghiogheny, Monongahela and Allegheny rivers, while many more were going farther westward toward the great Mississippi valley. In 1789 more than twenty thousand persons had descended the Ohio in boats and were laying the foundation of settlement in that western region of country.

During the entire period of the Revolution and for some time afterward, the western portion of Pennsylvania was subject to frequent invasion by hostile Indian warriors, allies of the British, and nearly the entire counties of Westmoreland and Allegheny were actually laid waste, and the inhabitants were obliged to shelter themselves in forts. Westmoreland was attacked while the court was in session and though the records were preserved, the town with most of the property it contained was burned, and a number of persons were killed or taken prisoners. Though the northern frontier of this country was continually harassed, those in the more southwardly settlements were by no means exempted from their share of the general distress. The previous ill feeling between the two rival governments weakened their exertions in the common defense, and it was not until about the close of the war that arrangements were made for an adjustment of the boundary.

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The earliest settlers in the locality referred to were as a rule more orderly and industrious than was usual among the pioneers of a new region. Many of them were farmers or their sons, with growing families, and they devoted themselves earnestly to the improvement of their condition; but in the rapid increase of population toward the close of the Revolution, there was found a num-



Remains of interior of rifle boring mill of Revolutionary times

In the Tulpehocken Valley. Photo by J. F. Sachse

ber of doubtful characters in the locality, who were not holding their lands under lawful titles, but were squatters and were much inclined to foment trouble in the region, for they seemed banded together under a leader. The four western counties at the time of the "Western Insurrection" contained about seventy thousand inhabitants, scattered over a considerable extent of country. Except Pittsburg, which contained about twelve hundred inhabitants,

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there were no towns other than the few places appointed for holding the courts of justice in each county. There were scarcely any roads, and the mountains formed a barrier which could only be passed on foot or on horseback. The only trade with the east was by pack-horses, while the navigation of the Ohio was unsafe owing to Indian troubles.

In this section of the Union, where two States had long been contending for the mastery, where the people for many years did not know to which colony or State they belonged, where rival courts weakened still more their allegiance to any authority, the first test of the federal constitution was destined to be made. As the colonial Assemblies had no authority to levy duties on imports, the Assembly of Pennsylvania in 1756 imposed an excise on imported spirits. The law was enacted for a temporary purpose, and the revenue arising from it was appropriated to the redemption of the provincial paper money. In 1772 the excise law was revised and the law included besides wine, rum and brandy, spirits distilled from the natural products of the province, except those for the private use of the owner. Though its terms were plain, the tax on domestic production was never enforced.

During the Revolutionary war, when neither foreign rum nor molasses could be imported, the demand for domestic distilled spirits was very great and its manufacture was profitable. In this way was consumed a great quantity of rye, wheat and other grains. In March, 1779, the Assembly sought to prevent by law the distillation of all kinds of grain or meal, but six months afterward the act was repealed with respect to rye and barley. The large number of persons employed in the militia and standing army had lessened the number of laboring hands and the low price of grain at the beginning of the Revolution discouraged the farmers from continuing to raise as much as before. Others, who were opposed to war on principle, failed to raise their annual crops of grain and thereby sought to reduce the usual supply for the needs of the army. This led to a prohibition against the

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exportation of grain and flour at Philadelphia and the passage of an excise law for the double purpose of checking evils growing out of the distilling of grain into spirits and for creating a public revenue for the maintenance of the army.

In 1780 Congress resolved that an allowance should be made to the army to compensate the depreciated value of the currency and required the States to discharge their respective portions. Pennsylvania issued certificates for the liquidated depreciation and in addition thereto a considerable area of land west of the Allegheny river and some confiscated property were appropriated for the discharge of this debt. But the confiscated property was not salable or productive, and the land, which was offered at auction, was sold for a low price. Then the legislature on the application of the officers of the Pennsylvania line, appropriated the revenue arising from the excise to the payment of the interest and the final discharge of the debt. The several attempts to enforce the provisions of the excise laws, and to restrain the evil practices growing out of the distillation of spirituous liquors, led to serious consequences and resulted in personal encounters between the officers and violators of the law. This period of history has been known as the Whiskey Insurrection and it involved the peace and prosperity of the southwestern portion of our State for many years. The various acts of violation and the attempts to suppress them are matters of local rather than general history; hence they need not be referred to more than incidentally in this place. Indeed, this troublous period had its beginning long anterior to Governor Mifflin's time, yet continued into his term and then reached its final culmination.

Soon after the adoption of the federal constitution, an excise tax was imposed by act of Congress. There was great need of increasing the federal revenue to pay the ordinary expenditures of the government, besides the payment of the revolutionary indebtedness that Congress had assumed. An act was passed taxing whiskey according to its quality. It was then worth about fifty

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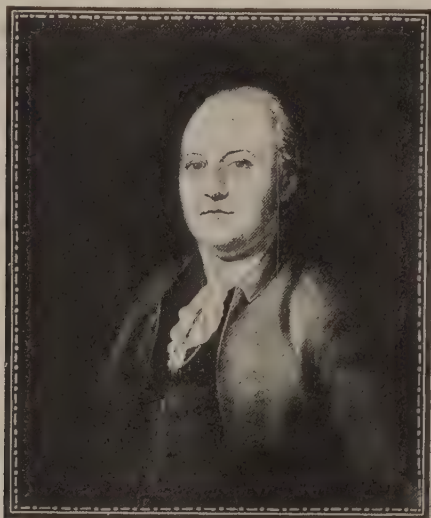
cents a gallon on the west side of the mountains and twice as much on the east side. A tax therefore of seven cents a gallon operated most unequally on the people of the two sections. The tax in the west was in effect twice as heavy as in the east. From this fact, coupled with the divided allegiance of the western people between Pennsylvania and Virginia, and from their need of depending upon themselves for protection against the Indians, sprung their opposition to the enforcement of the federal law, and the uprising against the constituted authority which is known in Pennsylvania history as the Whiskey Insurrection.

Gallatin, Brackenridge and Findley had opposed the law, well knowing the sentiment of the people, their determined characters, and that they would resist its enforcement. Subsequent events proved the accuracy of their knowledge of the temper of the inhabitants, but it was not thought that almost the entire population in the disaffected region would join in the general uprising against the laws of the land or that the regularly chosen authorities would themselves countenance the measures which were adopted by some of the committees in the several counties. But notwithstanding the prevailing feelings the region was not without an element of population that quietly submitted to the law and conscientiously regarded its provisions despite the apparent hardships it imposed. It was an unfortunate era in the history of our Commonwealth, yet Pennsylvania was not the only State in which such events took place during the years preceding and following the Revolutionary war.

During the disturbed period various laws were passed by the legislature and also by Congress which aimed to correct the existing evils, but which failed in their effect through lack of power to enforce them. However, in May, 1792, in order to provide both the necessary means and power, another act was passed which authorized the calling out of the militia forces to suppress insurrections and repel invasions. At the same time the excise rates were reduced and other changes were made which were more favorable

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to the distiller. The measure met with some opposition, yet its justice was no less clearly seen. Hamilton wrote to Washington that the law was a good topic for discussion, and might prove a fruitful source of revenue in case its provisions could be enforced



Tho Wharton Junr Pres

Member Committee of Safety, 1775; president
Council of Safety, 1776; president of Supreme
Executive Council, 1777-1778

and were acceptable to the people. By this act the federal government assumed control of the excise and all the revenues derived therefrom inured to the benefit of the nation. It must be understood that at the time of these troubles, whiskey was really the money of the region. This idea was developed in some resolu-

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tions adopted at a Pittsburg meeting, held in August, 1792. The preamble stated that the tax was unjust in itself and oppressive of the poor; that internal taxes on consumption must, in the end, destroy the liberties of every country where they exist; that the law would bring distress and ruin in the western counties, because in them there was little or no money, and trade was carried on by barter, and that chiefly in distilled spirits.

Not long after the Pittsburg meeting the President issued a proclamation admonishing all persons to refrain from unlawful action against those who were executing the excise laws. The supervisor of the revenue was sent from Philadelphia into the western counties to secure evidence against those who had committed assaults, and who were at the Pittsburg meeting. Seventeen persons were indicted for an assault on Richmond, one of the witnesses in Wilson's case, and were tried in the State court at Pittsburg in 1792, and most of them were convicted and fined. These were only a few of the many cases of violations of law and attempted punishment of offenders that took place during the later years of the Whiskey Insurrection and the other troubles which were the natural outgrowth of that period. For a long time the national government attempted the enforcement of the laws of Congress, but with no more success than attended the efforts of the State authorities in dealing with its rebellious subjects. This may be in part accounted for in the fact that the relations of the State and federal authorities were not of an entirely harmonious character, hence the officers of the State did little to assist the representatives of the general government.

For a long time there was a difference of opinion between Governor Mifflin and President Washington and his advisers concerning the use of the military for enforcing the law. Mifflin did not understand that the judicial power of the State had proved a failure as a means to enforce a compliance with the laws, as was intimated by the federal authorities. In Chester county a violator had been prosecuted and convicted in a State court, and

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a question arose over the fact that such a result could not be accomplished in the regions west of the Alleghanies, the plain inference being that the State authorities were derelict in co-operating with the efforts to suppress lawlessness by the federal government. President Washington therefore tried to establish with Mifflin a harmonious basis of action. A correspondence was opened and continued on both sides and the respective systems of national and State government were carefully considered. Fortunately, the law of 1792 provided a practicable method of procedure. It provided that if an associate justice of the United States Supreme Court, after receiving evidence, should notify the President that the execution of the law was obstructed by combinations too powerful to be suppressed by the ordinary course of judicial proceedings, and the means at the disposal of the regular officers of the law, then the militia could be called out. Furthermore, if the militia of the State where the disturbance prevailed should be incompetent to quell it, then the forces of the neighboring States might be called upon. Hamilton advised laying the evidence of the outrages described and of the inability of the federal officers to execute the law, before Justice Wilson. This was done, the certificate from the justice was given, and thereupon the President issued (August 7) a proclamation calling on the people in the insurrectionary district to lay down their arms and return home by the 1st of September, and ordering out fifteen thousand men to march to the scene and put down the insurrection. Provision also was made for creating a commission composed of five persons, three to be appointed by the President and two by the State, whose duty was to adopt measures for quelling the insurrection. The apparent adjustment of existing difficulties by the action above indicated was a source of joy throughout the State, but the end of the main trouble was not yet in sight. On August 14, a convention of more than two hundred delegates was assembled at Parkinson's Ferry for the purpose of expressing the sentiment of those who were interested in or af-

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fect by, the action of the federal and State governments, and also to determine upon the best course to pursue in the defense of what they claimed as their rights, of which the authorities were now attempting to deprive them. Colonel Cook was appointed chairman and Albert Gallatin secretary of the convention. The proceedings soon took an animated turn and the old



Lambert Cadwalader

Commissioned colonel in American army, 1776; captured by British, 1776, and paroled; never in active service afterwards

spirit of open resistance was manifested in the utterances of the demagogic element. While the meeting was in progress the commissioners (the Pennsylvania members were Chief Justice McKean and William Irvine) arrived, but even this event had not the effect to subdue the violent clamor or to awe into silence the agitating spirits of the occasion. The proceedings took the form of resolutions expressive of the prevailing sentiment, and which were advocated and adopted with little determined opposition until the secretary, Gallatin, took the floor and warmly es-

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poused the cause of order and peaceable submission to the laws of the State and nation.

Gallatin's effort was mainly directed against one of the resolutions offered for adoption which is characterized by Findley as "a bold attempt to form a combination hostile to the government, both of this State and the United States." In alluding to Gallatin's speech at this critical moment, one writer says "it required no little courage to oppose the wishes of such a body." But whatever of physical or moral courage the orator of the occasion may have displayed, his logic prevailed with the convention, and the obnoxious resolution was withdrawn by its proponent, and in its stead the convention provided for the appointment of a committee of sixty, with power to call a new meeting of the people or their deputies in the disaffected region. This action met with popular approval, the element of discontent subsided into quiet and the determination was expressed to support the State laws and afford protection to the citizens.

In treating of the eventual results of the convention, Findley says: "This was an important step toward the restoration of order, for at that time no man thought himself safe in many places in telling his real sentiments. Threats were not only circulated in anonymous letters, but were contained in the mottos on liberty poles; one was erected on the morning of the meeting and within view of it; the motto of it was 'Liberty and no excise and no asylum for cowards or traitors.' Every man was esteemed a coward or traitor by those disorganizers who disapproved of their measures." In relation to the arrival of the commissioners at the place of the convention, the same writer says: "The commissioners came to a house near the meeting before it adjourned. This rendered the situation of the friends of order more delicate. It was urged by some that the meeting should not be dissolved till they would know and decide on the terms proposed by the commissioners. With great address, however, they were prevailed on to adjourn without day. Men of dis-

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cernment knew that nothing would bring the people to a proper sense of their duty without time for reflection, and for the present agitated state of mind to subside. They knew also that if time could be procured to disseminate knowledge among the people, everything that was necessary would be gained. Therefore, to restore quietness and gain time was the great object with Gallatin and those who thought as he did." On the 20th of August, the twelve conferees chosen by the people visited the five commissioners at Pittsburg. At the first consultation all the conferees, except Bradford, agreed that the interests of the country and their duty as citizens rendered submission necessary and proper. The commissioners proposed amnesty for all offenses, that criminal prosecutions be dropped and civil suits take their natural course. The conditions on which these terms were offered were that the general committee, which was to meet at Redstone Old Fort, should especially disclose their determination to submit to the laws of the United States, and that they would not directly or indirectly oppose the execution of the acts for raising a revenue on distilled spirits and that they would recommend entire acquiescence.

While the commissioners were at Pittsburg a seditious paper, insulting in character and reflecting on the integrity of the commissioners, and also reviling the militia of the lower counties and especially those of New Jersey, was posted in the market-house and also was published in the newspapers. It boasted of the intrepidity of those who opposed the execution of the law and otherwise contained many expressions of an inflammatory character; but while it had the effect to gratify the questionable ambition of its authors and their adherents, it failed to further incite the people to serious acts of violence. After the action of the conferees was known, says Findley, "many of those who stood most in need of the offered amnesty became inflamed against the conferees and circulated a report that they had received bribes; this incredible story gained ground, particularly among the Ger-

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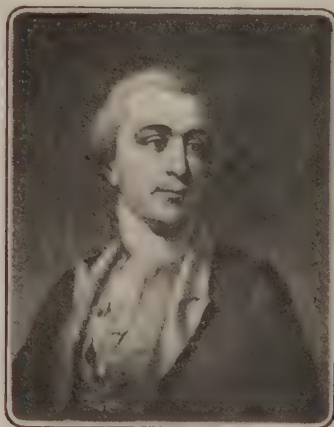
mans, who, with a number of the most ignorant everywhere, but particularly adjacent to the Monongahela, thought that the conferees should have agreed to nothing less than an unconditional repeal of the excise law. They did not comprehend the difference between the executive and legislative authority, nor was there time to instruct them."

On the 28th of August, the committee of sixty met at Redstone Old Fort, the very spot where the first meeting in opposition to the law was held three years before. It was felt that the decision of this committee would settle the question, and if decided in favor of the action of the conferees, then the opposition would cease; if otherwise, a conflict with the national authorities could no longer be averted. While the sixty were collecting, an armed party arrived from the upper parts of Washington county and made a demonstration in the public highway. When the committee was ready for business Bradford urged an immediate vote and expressed the hope that there would be no delay in the proceeding, and it was evident from his manner that notwithstanding his agreement to the terms of submission agreed upon at Pittsburg, he was now determined on having the report rejected, and that the armed party was brought there for the purpose of supporting him and overawing the meeting. The committee endeavored to postpone action till the next day. James Edgar addressed the meeting, complimenting Bradford's strength of mind, which he took to be real, and argued in favor of time for men like himself to decide upon the wisest course to pursue. The plan succeeded, means were used to prevail upon the armed party to retire that night, and the next day the number of spectators was much reduced. It was reported that Bradford had agreed with a number of others to support the opposition by force of arms until the government would agree to their terms. Indeed, both he and his followers were now bent on creating anew a revolutionary spirit if such action could be accomplished with safety to themselves, for they were now doubtful of

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their own strength and a little apprehensive of their hold upon the people.

The meeting was opened the next morning by an earnest address from the resolute Gallatin in favor of submission to the law. He was followed in the same vein by Brackenridge. Then Bradford spoke, for the logic of neither Gallatin nor Bracken-



Joseph Reed

President Provincial Congress, 1775; military secretary to Washington when the latter was put in command of the American forces; acting chairman Committee of Safety, 1776; brigadier-general, 1777; chief justice of Pennsylvania under the first Constitution, 1777; president Supreme Executive Council, 1778-1781; attorney-general of Pennsylvania, 1810-1811

ridge had subdued his fiery zeal. He urged the propriety of setting up an independent government, and held forth in truly demagogic language upon his idea of administering the law in the new State he would establish. But the seed of dissension he aimed to sow fell upon barren soil, and even many of his former supporters wavered in their allegiance to his unholy cause.

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James Edgar followed Bradford, and his words drew the respectful attention of his hearers, for he was a man of undoubted character, pious, upright, of easy address and possessed of good common sense. After he had closed Gallatin called for a vote, but the twelve conferees alone supported him. He then proposed an informal ballot, but that also failed. Finally a secret ballot was proposed and was accepted, and the report of the conferees was adopted by a vote of thirty-four yeas to twenty-three nays. Dismayed and completely subdued by the result of the ballot, Bradford, the agitator, fled the region and thenceforth was not a factor for evil in the early history of the State, and with his departure the new Commonwealth idea found no support.

The committee of sixty having adopted the report, a firm step forward had been taken. But now the sense of the people must be ascertained and more time was needed for this purpose. A new committee of twelve conferees was appointed to visit the commissioners and, if possible, secure an extension of time. This could not be long, for the authority of the commissioners themselves would soon expire by limitation. The conferees also proposed that the people individually subscribe to the new terms, and accordingly a form of submission and test oath were adopted on the 2d of September and was printed as speedily as possible, but as the 10th was the last day of the amnesty the time was very short for securing the submission of all the people scattered over such an extended country. As some of the conferees did not attend the meeting of the commissioners, large districts were left without the necessary means of information. On this point Findley say: "It could not be expected that an uninformed mass of people could make up their mind to subscribe what amounted to a new test of allegiance with so little time or composure for deliberation. The difficulty was much increased by the number and smallness of the districts in which they were convened;" and further "the tumult that took place on the day of signing, and the heat and agitation which disclosed itself in a

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few places, particularly among the uninformed part of the Germans, for a few days after it, induced several of the judges and other persons of information to agree in opinion with Mr. Ross that it would be necessary to have an army sent into the country; but this opinion was also made up without time for information and consequently was soon changed. It was but a few days, in some places the very next day, after signing, that many of those who had been most riotous on the day of fighting came, some of them in tears, begging permission to sign; in some places their signing was received with certification that it would not be admitted as a claim for amnesty; in other places they were refused these privileges altogether."

The attitude of the people made such an impression on the commissioners that the day after making their report President Washington issued a proclamation calling out the troops. The chief command was given to Governor Lee of Virginia, with Governor Mifflin second, Governor Howell of New Jersey third, while General Hand was appointed adjutant-general. The Pennsylvania and New Jersey troops were to rendezvous at Carlisle, and those of Maryland and Virginia at Fort Cumberland.

On the 13th of October the army started from Carlisle, and two days afterward encamped at the foot of North Mountain. Dallas, the secretary of state, accompanied the expedition and wrote an interesting description of the scenes and events of the march, which have appeared in various publications.

On its tedious march the army met many families who were fleeing from Maryland and Virginia to Westmoreland or Kentucky, and on every hand destitution and distress and ague appeared to prevail. Yet in a way the people appeared to make the best of their surroundings and were easily pacified and put in good humor. President Washington and Hamilton joined the army at Carlisle and accompanied the expedition to Bedford, whence the chief executive returned to the capital while Hamilton went forward with the troops to visit the region lately in insur-

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rection. On November 9, the troops reached Parkinson's Ferry, previously the scene of disorder, but now apparent quiet reigned on every hand. However, it was determined to make some arrests. Hamilton was there and he was a believer in stern methods; the law had been defied, and its penalties must be enforced. The night of November 13 was selected for action. At eight o'clock the work began, and before daylight about two hundred persons had been arrested and taken into custody. In several cases extreme methods were used and seeming indignities were put upon some of the offending subjects, yet the former provocation had been great and the stern decrees of the law demanded a rigid enforcement of its provisions. Whatever was done was in harmony with the customs of the time, for then there was less temporizing with lawlessness than in later days of our State history.

After the arrests the prisoners were taken to Pittsburg and thence were sent to Philadelphia. Twenty-two bills of indictment were found against them for treason, but only one conviction followed; and the culprit was sentenced to death, although afterward he was pardoned, even the jury joining in the petition for pardon.

Having accomplished its object, the army, except 2,500 men, returned to the east and was disbanded. Morgan's corps was kept in the district throughout the winter to prevent another uprising. Washington's action in sending the troops into the western section was the subject of much criticism, as the insurrection was practically broken before the army started over the mountains, and the claim was made that it ought not to have been sent at all. On the other hand it was said that it was the action of the government in calling out the military which finally led the insurrectionists to realize the error into which they had fallen, but whatever may have been the correct opinion the truth remained clear that the determined action of the government had a salutary effect upon the evil-doers and speedily ended their re-

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bellious career. Dallas undoubtedly reasons correctly when he says: "No one can question the prudent and humane policy which actuated the president in determining to relieve the nation at once from every possible danger by a demonstration of irresistible strength."



Washington's Headquarters

Battle of Brandywine, 1777. Engraved for this work from a negative by D. E. Brinton

Thus ended the so-called insurrection which created such unusual commotion in western Pennsylvania and attracted the attention of other States; but the latter at that time were troubled with disputes and threatened uprising within their own borders which in frequent cases called for the services of armed troops to suppress. The cost in money of the disturbance in this State was nearly \$1,000,000, but a still greater cost was that resulting from lack of settlement and material improvement in the dis-

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affected regions. However, after the restoration of peace a new era of general progress was begun, and in the course of a few more years the people were found to be as thrifty and prosperous as those who dwelt east of the mountains, and they increased and multiplied to an extent that elicited the commendation of the whole Commonwealth. Another event of importance which reached its culmination about this time and aided in creating a better feeling in the west, was General Wayne's decided victory over the Indians. This had far-reaching effects and threw open the navigation of the Ohio and Mississippi, enabling the western people to find a market for their products. The western forts were surrendered and there was now security against the savage. The army expenses had given an increased circulation of money, and the farmers having now the means to pay their tax made no further complaints against the excise law. Perhaps two thousand of the best riflemen of the western counties had left the country before the approach of the army, but their places were soon supplied by others, and thenceforth the western counties advanced in population and wealth.

The eastern portion of the State, except in isolated localities and cases, was practically exempt from the serious effects of the disturbances noted on preceding pages; but before the last echoes of the insurrection had died away, the city of Philadelphia in particular and the southeastern part of the State in general was visited with a disaster of a far more fatal nature than that which plagued the authorities of the federal and State governments during the period of disorder just referred to. In 1793 Philadelphia and the country round about the city suffered from a serious and destroying epidemic of malignant yellow fever, such as never before had been visited upon any large municipality in the country and infrequently since that time except in some of the cities of the South. It was a dreadful visitation and came like a tempest upon a city one hundred years old when its inhabitants were least prepared for the attack. Medical men of the time were without

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experience in treating maladies of the kind, hospital accommodations were limited and there were none who knew how to control the disease or to enforce sanitary regulations in order to prevent its spreading tendencies. To add to the seriousness of the situation the people themselves fell into a panic, and all who could fled from the city, frequently carrying the infection with them, while those who remained endeavored to ward off the dreaded attack by recourse to remedies and expedients which now would be regarded as ridiculous; but then no person thought of charging his neighbor with superstitious ignorance and gladly accepted any suggestion which even remotely promised either immunity or a cure.

The harrowing details of this unfortunate occurrence can have no place in these pages; the effects were awful almost beyond description, and four thousand lives were claimed by the destroyer. For weeks all business was suspended, newspapers ceased publication, churches were closed, and municipal affairs received only such attention as the exigencies of the occasion seemed to require. At length the force of the epidemic was spent and slowly the stricken people of the affected districts gathered together their families and effects and returned to their accustomed pursuits. However disastrous may have been the results of this visitation, the occasion was not without its benefits in the lesson it taught in regard to the necessity for the establishment and enforcement of more strict sanitary regulations, such as Penn contemplated for the general good of the city he founded more than a century before.

Turning from the current of events as noted in preceding pages, let us inquire into the financial history and condition of the Commonwealth at the time of the adoption of the constitution of 1790. At that time the indebtedness of the State consisted of a variety of obligations, among which was a considerable amount of outstanding redeemable paper money, besides funded and militia certificates, depreciation certificates, interest certi-

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cates, debts owing for horses and army supplies, and also a balance due for interest on new loan certificates. The sources of revenue at the time were less varied, consisting chiefly of marriage and tavern licenses, taxes on writs, fines and forfeitures, auction duties, carriage taxes, excise taxes, lands and land office fees and militia fines.

The amount contributed by the people from all sources from the beginning of the Revolution to August, 1791, in Continental money, was as follows:

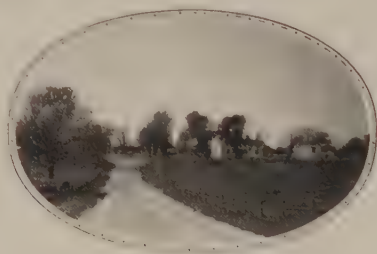
Direct taxes to October, 1781.....	£12,380,159
After October, 1781	6,871,471
Other revenues to October, 1781.....	3,604,324
After October, 1781	2,823,505
Bills of credit—"Resolve Money".....	200,000
Commonwealth money	200,000
Total in Continental money.....	£26,079,460

The direct taxes at specie value from October, 1781, to August 1, 1791, amounted to £1,240,049; other sources of revenue before October, 1781, £84,718; from October, 1781, to August 1, 1791, £980,275. The early financial reports were elaborate, and also were necessarily complicated in consequence of the existence of so many kinds of money and money equivalents and such a variety of indebtedness. These reports, however, were carefully prepared and disclose the faithfulness of the financial authorities of the State. With the new order of things established under the constitution, the financial system was reorganized and systematized, and thereafter became an important element of the history of the State. This system is treated at length in another part of this work, hence further allusion to it in this place is unnecessary.

The later years of Governor Mifflin's administration were in themselves uneventful except that about the close of his last term

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of office party lines had become strengthened and politics seemed to engage public attention more strongly than ever before. National political affairs then were in a fevered condition, and as the capital was at Philadelphia, that city was the center of political excitement, and naturally the feelings there engendered spread throughout the entire State and divided its people on all questions, whether general to the United States or confined to our own Commonwealth.



Dilworthtown

At intersection of Concord, West Chester and
Wilmington roads; battle of Brandywine. En-
graved for this work from a negative by D. E.
Brinton

From the time of founding the colony by Penn until after the adoption of the constitution of 1790 the seat of government of the province and subsequent Commonwealth of Pennsylvania had been maintained in Philadelphia, but soon after the year mentioned a strong feeling was aroused in favor of removal to some less populous locality, the chief argument therefor being based on the assumption that legislation would be less influenced by the interests of the great municipality. In February, 1795, the House passed a resolution providing for the location of the State buildings and capital at Carlisle, but the measure failed in the Senate. In 1796 the subject was again under consideration and both Carlisle and Reading put forth strong but unsuccessful claims for the coveted designation, but Lancaster was selected by the House,

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while the Senate again failed to approve the action. In 1798 Wright's Ferry, on the Susquehanna river, was proposed, as also was Harrisburg, but an act was not passed, owing to the non-concurrence of the two branches of the legislature. In 1799 Lancaster was selected, and was the capital of the Commonwealth from the first Monday in November, 1799, to February, 1810, when the seat of government was removed to Harrisburg. In the same year in which Philadelphia ceased to be the capital of the State, the seat of the national government also was removed.

During Washington's administration national issues formed rapidly, the cabinet dividing into two wings, Hamilton and Knox forming and leading one and Jefferson and Randolph the other. As Hamilton favored the enforcement of the excise act, and the employment of troops, if necessary, for that purpose, Jefferson and Randolph urged State action solely in suppressing the rioters and enforcing the law. On other questions they differed, such as those relating to the national bank, funding and payment of the public debt, and in fact on all matters pertaining to the exercise of national power. While Washington was at the head of the government he preserved unity and enforced all national measures; on his retirement the division was distinct and final, and two parties emerged with totally different aims.

Mifflin was re-elected in 1793 and 1796 without difficulty, but in 1798 the voters of Pennsylvania re-formed on the existing lines of the national parties that had been established two years before. The old anti-Constitutionalists who were opposed to the constitution of 1776 and were powerful enough to call a convention in 1789 and secure the adoption of the constitution of 1790, secured a decisive victory in the State election of 1798. Many of the Constitutionalists who favored the amendment of the constitution of 1776, but had been defeated by the censors, joined with them, and thus strengthened at last, secured an easy triumph.

Thus Mifflin, who had been one of the leaders of his party in the beginning, was its pre-eminent leader at its close. Of his

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nine years as Governor it is not difficult to form a fairly intelligent judgment; the whiskey insurrection was the most difficult affair to settle during his entire term in office. He loved and at times seemed to court popularity and was singularly successful in winning and holding the confidence of the people. Yet Mifflin's public life was subject to criticism and in certain respects he undoubtedly deserved censure, although none of his political opponents charged that he profited by the measures adopted and which were made the subject of scandal during his gubernatorial career. As the first chief executive of the Commonwealth his was a hard and often unpleasant duty and he was constantly besieged with applications in behalf of measures for the advancement of both public and private enterprises. So far as lay within his power he is said to have examined into the merits and justice of each of these claims upon the executive favor, and some of them received his approval, while others were rejected by him. He did not originate the laws; the enacting power lay solely with the legislature, and if unwise measures were adopted by a fair majority of the legislature it certainly was not the fault of the Governor if he approved them after the direct representatives of the people had placed them before him for that purpose.

During this formative period of history Mifflin demeaned himself well under trying circumstances; were this not so he could not have retained his hold upon the voting power, twice secure re-election and eventually retire from public office still retaining not only the esteem, but also the leadership of his political party. Toward the close of his third term the opposing party gained numerical ascendancy in the State, and at the next election its candidate waged a successful contest. It was not his political mis-alliances that overthrew Mifflin's power in the State, but the natural current of political events where two great parties are ever struggling for the supremacy which one only can secure, and having maintained for a time, is sure to be lost to the other.

CHAPTER VIII.

McKEAN'S ADMINISTRATION—1799 1808

THE Republican candidate in 1799 was Thomas McKean, who for many years had been one of the most prominent figures in the State. No other man then living had such a picturesque record. Born in Chester county, the son of Irish parents, he inherited the strong qualities of the Irish race. He was educated by Francis Alison, one of the most distinguished teachers of his day, and afterward studied law in the office of his relative, David Finney, of Newcastle, Delaware, a lawyer of considerable prominence. At the age of twenty-two years he was appointed, by the Attorney-General, deputy to prosecute the pleas of the crown in the county of Sussex. In 1756 he was elected clerk of the Assembly and was re-elected the following year. For four years he was chosen, with Caesar Rodney, to revise and print the laws enacted after 1752. In 1756, also, he was elected a member of Assembly from the county of Newcastle and was annually returned for seventeen successive years. During the last six years of this period he resided in Philadelphia and frequently informed his constituents that he wished to retire. In October, 1779, on the day of the general election in Delaware, he attended at Newcastle, where he addressed his friends, describing the prospects of the country and declining to serve longer as a member of the legislature. On his retirement a committee of six waited on him in behalf of the electors, and requested of him that if he would no longer serve, that he designate seven men whom they might choose to represent

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the county. He expressed his surprise, and while acknowledging the compliment, he begged to be spared the hazard of giving offense by making the selection, as he knew not seven, but seventy who were worthy to serve the State in that manner. The committee retired, but again returned, saying that the electors had considered his objections but had unanimously renewed their request, assuring him that instead of offending any individual by so doing, he would confer a favor on the county. He then selected



Rear of Birmingham Meeting House

And old grave yard which the American army used as a breastworks against the advancing British, battle of Brandywine. Engraved especially for this work from a negative by D. E. Brinton

seven names, all of whom were elected, nor did the lowest on the list lack more than two hundred votes of the eighteen hundred electors who were present.

When McKean first appeared in public life, there were two parties—court and country—in Delaware. The court party was composed of the Governor, the office holders and expectants and their friends. As the judges and all the other magistrates held their commissions during the pleasure of the Governor, the court party was preserved strongly by the cohesive power of office, its pleasure and profits. The other party, to which McKean belonged, was of a more popular character and more representative

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of the people. Though resigning as a member of the Delaware Assembly, he had been serving as a member of the Continental Congress ever since 1774. From the first he had been one of the ablest and most zealous members of that body. Nor did he flinch from those duties, arduous as they were, while the contest was waging. Annually elected, he served as a member of that body until February, 1783, eight years and a half. Indeed, he was the only member of the Continental Congress who served without intermission from its opening in 1774 to the signing of the preliminaries of peace in 1783. During a part of this period he was performing judicial duty as Chief Justice of Pennsylvania. A firm believer in independence, he was one of the signers of the Declaration, and served as a colonel of a regiment of associators of Philadelphia, and marched at the head of his battalion to Perth Amboy, New Jersey, in the summer of 1776, to support General Washington. He proved himself an excellent soldier and a brave, efficient officer.

When nominated for Governor, McKean had served as chief justice for twenty-two years and was then sixty-four years old. His judicial career had not been the calm, serene life usually associated with the administration of justice, for he was subject to the bitter attacks of Oswald, the editor of "Freeman's Journal," who was his implacable enemy; but he was not the only one. McKean had a strong regard for the dignity of the bench, and was determined to maintain it. He had a high temper too, but so did others of his time, and clashes were frequent; yet no one questioned his honesty and but few his impartiality. His ability was great and his industry was untiring.

In the formation of the constitution of 1790 he took a leading part. His high judicial position and his acknowledged ability gave him a peculiarly important relation to the work then in hand. Though a member of the Constitutional party, he strongly favored the revision of the constitution of 1776. A thorough Revolutionist and a leader of his party, his position did not blind him to the

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defects of the constitution and the need of amending it, whatever might be the effect upon his party. In a letter to John Adams in April, 1787, he said: "The balance of the one, the few, and the many, is not well poised in the State; the legislature is too powerful for the executive and judicial branches of government, besides, it can too easily make laws, and too easily alter or repeal them. We have but one branch in our legislature and are divided into two parties, and they are yet pretty nearly equal in numbers and merit. We must have another branch, and a negative in the executive, stability in our laws, and permanency in our magistracy, before we shall be reputable, safe and happy." But in general he disliked innovations, especially in the administration of justice, and he "would avoid tampering with constitutions of government as with edge tools."

His position in the Constitutional Convention separated him, as it did others, from the party with which he had been so long identified, and numerous federal questions arose which still further widened the gulf. Direct taxation was one of these. The Federalists had come to believe that the people ought to pay the taxes, for if they did they would be more mindful concerning the expenditure of the revenues. If a theory ever looked plausible this one certainly did. It was not right, they said, for the people to pay taxes without knowing it, and they certainly did not by the indirect method. But their opponents knew better; and that the Federal party could hardly enact a law that would more effectually end in their destruction; so they reprobated it as hateful and anti-Republican, a condition not to be endured. Other federal laws that had the effect to drive men into the Republican party were the alien and sedition laws, which gave the President authority to send obnoxious persons out of the country at pleasure, and to arrest others who were accused of speaking or writing disrespectfully of the government. This legislation was enacted in view of the depredations of the French on American commerce, and the belief that war with France was inevitable.

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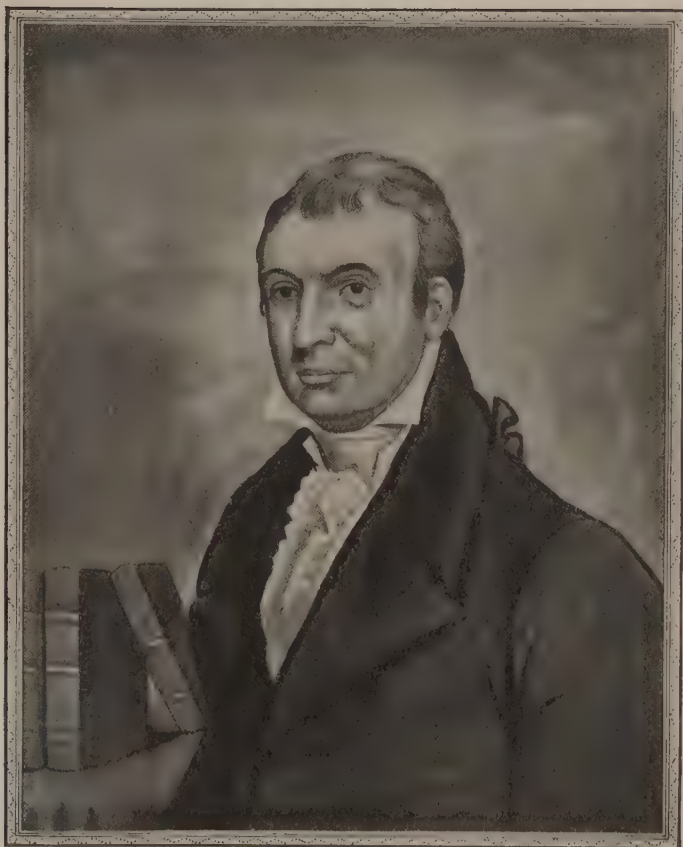
Opposed to McKean was James Ross, who had been a United States Senator, a man of unquestioned character, ability and fitness. He, too, had long served in public life, but in the contest just closed the fortunes of political war were against him. The alien law had set at naught the right of going, saying and doing whatever the love of liberty prompted; the sedition law was still worse. But the direct tax law was the most effective. The pockets of the Pennsylvania farmers hitherto had been spared and wheat had brought a good price. But now a new burden came. Had they not rebelled to escape the taxation from Great Britain, and was this tax imposed by the federalists upon farms, houses and meadows, the beginning of a system which would soon extend to horses, wagons and plows, or, as the idea was expressed in an election circular, a horse-tax, a cart-tax and a plow-tax? "The love of pelf was completely roused, and many a farmer came to the poll as determined as though his vote meant a solemn determination to remain independent instead of sinking into the hopeless abyss of vassalage."

The contest between McKean and Ross was very bitter, but at the polls McKean was an easy victor. Of all who had contributed to his success, William Duane, the editor of the "Aurora," had been the most efficient. For a considerable period he exercised far greater political power than any other editor, and Jefferson ascribed to him the success of the Republican party in 1800.

With the election of McKean there was at once a lively commotion concerning the disposition of the offices, and for the first time in the history of the State the Governor found himself confronted with a new and perplexing question. There never had been any radical change in the offices during the long period of provincial rule, while the party of the Revolution, after the war, with the single exception of Dickinson's term, had been in power until now. But now for the first time the political axe was to be swung; McKean knew how to swing it, and the work suited his strong nature. It is true that McKean's opponents had set a strong ex-

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ample in harsh measures of governing and if the Republicans were too imaginary in calling it the "Reign of Terror," they could point to a long list of arbitrary and oppressive laws passed by the opposition party and the resistance to the popular will in order to retain power. The last was to preserve a constitution which the majority of the people never liked, and which they hated more and more until it was finally supplanted by another by methods hardly less revolutionary. These things every one knew, and for them there was no defense. For twenty-five years the Republicans had waited; at last they were again in power. And yet it was not the same men who were in power in 1776; it was not the conservative element, or, if otherwise, the conservatives had materially changed, of which fact the position of James Wilson in the Constitutional Convention is a good illustration. From conservatives they had become believers in the rights of the States, and either did or assumed to regard with fear the exercise of federal power. They were the guardians of State rights and the people's rights as opposed to the federal government, and now in complete control of the political powers of the State, it was proposed to fill the offices with Republicans, a proceeding in which Duane was a conspicuous figure, and one also that afforded him an opportunity to gratify his long-cherished ambition, and thereby to inaugurate a custom in the disposition of political patronage that has been followed even to the present day. In a letter to Jefferson early in January, 1801, he wrote: "It is, at least, imprudent to foster spies continually about one's self. I am only sorry that I did not displace ten or eleven more, for it is not right to put a dagger in the hands of an assassin." Six months later he wrote to the President concerning the office-holders in Delaware: "It appears that the anti-Republicans, even those in office, are as hostile as ever, though not so insolent. To overcome them they must be shaven from their offices, where their great strength lieth; their disposition for mischief may remain, but the power of doing it will be gone. It is out of the common order of nature to prefer enemies to friends."



LaFayette

French volunteer in American Revolution; purchased and armed a vessel at his own expense for use in Revolutionary war; appointed major-general in Continental army, 1777; instrumental in sending 6,000 French troops to aid Washington; made a tour of America, 1784; visited President Monroe upon invitation, 1824

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As this was the first radical change, it perhaps caused more criticism than any subsequent action of the same nature. And yet the office-holders could hardly have hoped to escape.

The federal direct tax law had been enacted in 1798, and it led to an insurrection known in history as "Fries's Rebellion," which occurred in eastern Pennsylvania. The troubles between the United States and France at this time assumed the form of active hostilities, and James McHenry, secretary of war, began to organize the army. The President was given authority to borrow \$5,000,000, and \$2,000,000 more was to be raised by a new and odious tax. This tax was direct, and fell upon houses, lands, and slaves. For every slave between the ages of twelve and fifty years, fifty cents was to be required of the owner. For every house valued at from \$200 to \$500, twenty cents per hundred dollars was required; while the tax was thirty cents per one hundred dollars on houses valued at from \$500 to \$1,000. There were but few slaves in Pennsylvania, and as a result, the tax fell mainly on houses and lands. The value of the houses was determined by counting the number and measuring the size of the windows. Houses with but few and small windows were rated lower; and in order to save the tax, the farmers usually had small windows in their houses. Pennsylvania's share of the tax was \$237,177.72. To collect this amount, the State was divided into nine districts, with the following collectors:

- First district, Israel Wheeler.
- Second district, Paul Zantzenger.
- Third district, Seth Chapman.
- Fourth district, Collingson Reed.
- Fifth district, Jacob Eyerly.
- Sixth district, Michael Schmyser.
- Seventh district, Thomas Grant, Jr.
- Eighth district, Samuel Davidson.
- Ninth district, Isaac Jenkinson.

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The third district was composed of Bucks and Montgomery counties, and the fifth district of Northampton, Luzerne and Wayne counties. The assessors and collectors of the tax found very little difficulty and opposition until the eastern part of the State was reached. It was in the counties of Bucks, Montgomery and Northampton, almost within sight of the federal capital, that the opposition became alarming, arising from the fact that the German people did not understand the law. Many a farmer knew nothing of the tax until the assessor came around. The people remembered the old hearth tax of Germany, and they thought this measure was a revival of it.

Any measure resembling this system of the old world was, of course, very unpopular among these people, who had once experienced its oppression. They were Republicans in politics, and were determined that the tax should not be collected. Women set dogs on the assessors, and poured scalding water on them when they attempted to measure the windows. In a number of townships, associations of the people were formed in order to prevent the officers from performing their duty. The spirit of opposition was expressed at many public township meetings called for the purpose. In a number of cases resolutions in writing were entered into, forewarning the officers, and many times accompanied by threats. The officers of the law took great pains to calm the fears of the people. For this purpose, the law was read, and explained; but the opposition continued, and it amounted to actual resistance. In many places, violence was actually used and the assessors were taken and imprisoned by armed parties. The insurrection rose to such a height that it became necessary to compel the execution of the laws, and warrants were issued against certain persons and served upon them. Headquarters were appointed for the prisoners at Bethlehem, but a number of persons marched there and demanded the release of the prisoners. The operations of the mob were so hostile that the marshals could offer no resistance, so the prisoners were released.

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The leading spirit in this opposition to the government was John Fries, a farmer's son, born in Hatfield township, Montgomery county, in 1750. He learned the cooper trade, and in 1770 married Mary Brunner, of Whitemarsh township. In 1775 Fries removed to Lower Milford township, Bucks county. He saw service in the Revolution, having enlisted in the Lower Milford Associated Company in 1775. He also helped to put down the Whiskey Insurrection in Western Pennsylvania. After settling in Bucks county, Fries became a traveling auctioneer, and he journeyed from village to village, engaged in this employment. He and his dog, Whiskey, were familiar figures in every country store. He could speak German fluently, and in his rounds had excellent opportunities to denounce the tax. Being so well known, his words had great influence, and he naturally became the leader of the opposition party. John Fries was present at a meeting held in February, 1798, at the public house of Jacob Kline, near the point of union of the four counties, Montgomery, Bucks, Lehigh and Berks. Fries assisted in drawing up a paper in opposition to the tax, which received fifty-five names. He also pledged himself to raise 700 men to resist the tax. His expressions against the law were very violent, and he threatened to shoot one of the assessors, Mr. Foulke, through the legs if he proceeded to assess the houses. Fries and his partisans continued to follow and persecute a number of the assessors, chasing them from township to township, in parties of fifty or sixty, most of them armed, and carrying a drum and fife. Fries was armed with a large horse pistol, and a man named Kuyder assisted him in command. Learning that the marshal had taken a number of prisoners, the rioters determined to rescue them, and the people of the surrounding country were invited to assist in the work. Fries drew up a paper at his own house setting forth their design, and the next morning more than twenty followers appeared in arms. They then set out for Bethlehem to release the prisoners. The marshal was intimidated, and the imprisoned rioters were

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released. After this affair at Bethlehem, Fries often avowed his opposition to the law, and justified the outrage, and when a meeting was held in Lower Milford to choose assessors he appeared as violent as ever.

The government became greatly alarmed at these proceedings. The President issued a proclamation commanding the rioters to disperse. He also called upon the Governor and militia of Pennsylvania to assist in maintaining order. Governor Mifflin issued a proclamation, March 14, 1799, and on March 20 James McHenry, secretary of war, ordered out the cavalry from Philadelphia, Chester, Montgomery, Bucks and Lancaster counties. Under the command of General MacPherson, the militia and cavalry encamped at Springhouse, Montgomery county. Here General MacPherson issued a proclamation to the rioters. It was a lengthy exposition of the nature of the constitution, and the extent of the federal powers. Proceeding to Quakertown, the army began to make arrests, and to scour the country in search of rioters.

After releasing the prisoners at Bethlehem, Fries returned to his old employment, and was arrested while holding a vendue. At the cry of soldiers, he leaped to the ground and fled to a swamp. He was arrested for treason, and, with some thirty others, was taken to Philadelphia for trial.

The case of Fries was called up in the Federal court at Philadelphia on April 30, 1799. His lawyers were Alexander J. Dallas and Messrs. Ewing and Lewis; while Messrs. Rawle and Sitgreave were the counsel for the United States. Fries's lawyers argued that the offense amounted only to riot, and that it should be tried in the local courts. This point was not accepted by the court, and the case proceeded to trial. The verdict was guilty; but as it appeared after the verdict that one of the jury, previous to being empaneled, had expressed the opinion that Fries ought to be hung, a new trial was granted. The second trial was called for April 29, 1800. At the former trial, Fries's lawyers argued

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at great length that the offense was only riot, and not treason. They cited many cases in support of their view. But the court relied upon the definition of treason in the constitution: "Treason shall consist in levying war against the United States, or in aiding or abetting her enemies." Fries's counsel then refused to appear further in the case. He was again declared guilty; the Friday for the hanging was named, and the sheriff's posse was selected. The cause of Fries was espoused by the old Republican party, and by a number of newspapers throughout the State. The "Aurora" denounced the action of the officers, and charged that the army lived in free quarters on the inhabitants. The "Adler," a German paper published at Reading, also condemned the course of the government, and claimed that the troops imposed upon the people as they marched through the country. Discussion on the subject became so bitter that it entered into national and State politics and became an important issue.

In the meantime, national political affairs were so developing that President Adams was led to pardon John Fries. Our country became involved in hostilities with France on account of the refusal to declare war on England. The ratification of Jay's treaty with Great Britain gave offense to France. The result of the "X, Y, Z" mission to France produced a division in the cabinet. The alien and sedition laws had also made Adams unpopular; and, as the time for the presidential election was drawing near, he felt the necessity of making a stroke which would tend to quiet the great opposition that was arising. To help accomplish this result, Adams pardoned John Fries. There is a story that Mrs. Fries interceded with the President for the pardon of her husband. Some claim that she appeared before Adams with her seven children, weeping and imploring for the pardon, and he became so affected that he could not refuse it.

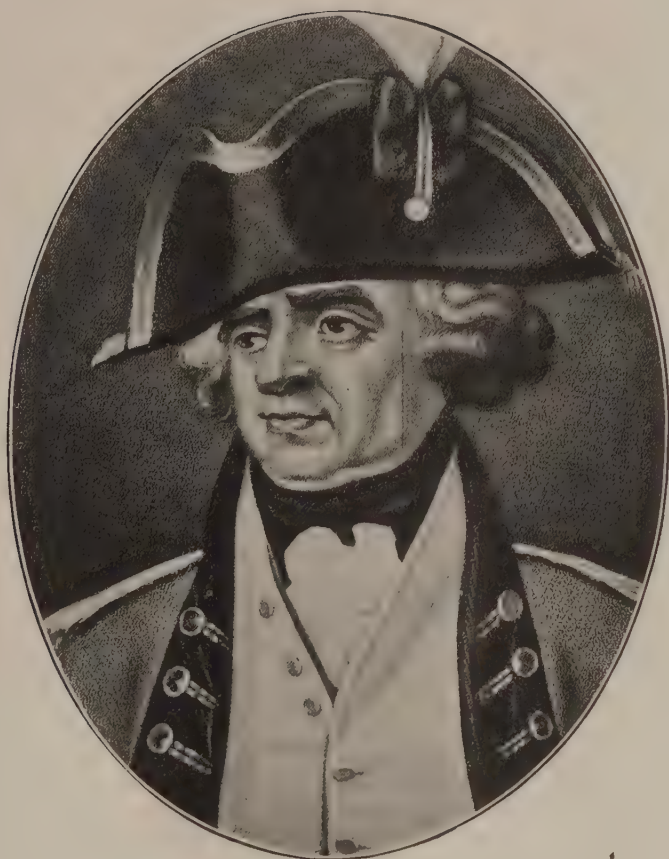
The appearance of the large military force in the German district, and the numerous arrests and trials, finally subdued the people. Dr. Muhlenberg and others then went through the

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counties explaining the law to them in the German language. After once understanding the nature of the law, they immediately became obedient, proving that they had been urged into deeds of violence by the misrepresentations of unscrupulous leaders.

The action of the President in enforcing the law with the military turned a large number of persons against the Federal party, and Jefferson and the Republicans came into power the following year with a large majority behind them. The result might have been the same had the law not been passed, but the law and its enforcement contributed more than any other thing to overthrow the Federalists. In Bucks and Northampton counties, the scene of recent disturbances, the vote was of a most decisive character against the law and those who had sought to enforce it. On them at least, the presidential clemency was wholly lost. The closing scene in this affair was acted during the early days of Governor McKean's administration, and as Mifflin also was nearing the end of his long public career.

During the period of which we write McKean was fairly installed as Mifflin's successor. Vigorously supported by Duane and the "Aurora," by Gallatin, Dallas, Findley, and a large number of zealous adherents, his course seemed to be clear. His party at last had become clearly and strongly established with a well defined policy. In State matters there was little of an absorbing nature, and national issues were allowed to control in affairs of the Commonwealth. McKean in turning out his opponents and putting in his friends did not hesitate to remember his relatives, and this was subsequently raised against him as a distinct issue, and one which he was called upon to meet. Duane's close relations with the President and with McKean naturally aroused the jealousy of the lesser powers. For a long time Dr. Michael Leib (who was destined to become a conspicuous figure in Pennsylvania history) and Duane were warm friends; they thought and acted in harmony. In 1802 Leib was nominated for Congress, but not without strong, determined opposition to his candidacy.



William Howe

Commander light infantry under Wolfe at Heights of Abraham, 1759; commander-in-chief British forces in America, 1775-1778; won battle of Brandywine, 1777, and captured Philadelphia; repulsed Washington's attack at Germantown; the "Meschianza" was given in his honor by his officers and the tories upon his departure for England, 1778

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Among those who were especially active during this canvass was A. J. Dallas, who in a few years was to lead the opposition to Duane.

In order to appreciate more fully the condition of things which existed about this time, it may be said that political forces and influences had for the first time made their appearance in State affairs during Governor Mifflin's time, but had not become firmly rooted until his successor had taken up the reins of government. Parties were the natural result of divided political sentiment, and with their creation the victors in every contest loudly asserted the claim that the spoils of office belonged to them; and from that time to the present this sentiment never has abated, but has steadily become intrenched more firmly, year after year, until now it has become a powerful incentive to party and individual effort in every election, whether national, State or local. Throughout the long period of the provincial government the holding of office was regarded as a trusteeship of the public welfare in which personal advancement was not considered. Under the provisions of the informal though effective constitution of 1776, there was little attempt at political manipulation, because nothing was to be gained by office-holding; and it was not until after the adoption of the federal constitution and the division of the people into political parties that the leaders began their work of manipulation upon the principle which still obtains, "To the victor belongs the spoils."

In Mifflin's time as Governor of this State the germ sprang into organism and under his successor the harvest was full ready for the sickle; and the reapers, the politicians of that day, proved themselves industrious husbandmen in their special field of action. Mifflin as a Federalist naturally surrounded his administration with advisers and public officials who held to views in harmony with his own, and when McKean succeeded to the gubernatorial chair it was only to be expected that a new set of officers would fill the more important places in State government, but the alacrity

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with which the political leaders availed themselves of the opportunity then presented caused surprise in every circle, and the sweeping away of every vestige of the former administration only intensified party feeling and afforded ample material for the bitter newspaper contests of the period.

The chief figures in these scenes as a rule were not persons high in authority, although all official circles were influenced by their actions; the principal actors were the politicians and political editors, who then fed upon the same food that now fattens those who assume to dictate concerning the disposition of political spoils. Thus it was during the early years of our State history, under the constitution of 1700, there was little real progress until after the close of the second war with Great Britain. It was an era of political events in which many and often conflicting elements were involved, and in which, also, there appear factors who were not a part of the political structure of the State, yet who in a way shaped its affairs and controlled its policy.

But it cannot be said that this was an era of non-progression in the settlement and growth of the State, in the development of its resources, and in the intellectual and moral development of its people. Various unseen forces were quietly at work producing good and lasting results, and while political strife and discord for a time held sway and were paramount in the public attention, the other and better influences were gradually working toward the surface; and when, after the close of the war of 1812, political issues were made of secondary importance in the public welfare, and reasoning minds were directed in other channels of thought and action, those hitherto unseen forces naturally developed into actual life and became the mainstay and support of the people in their desire for peace and future prosperity.

McKean's first term of office as governor ended in 1802, and the record of his administration passed into history with much to his credit and little comfort to his enemies, although they had striven to beset his political pathway with every possible difficulty.

Etched for this work by Albert Rosenthal from the painting by Lambdin
Owned by the Standard National Bank, Philadelphia

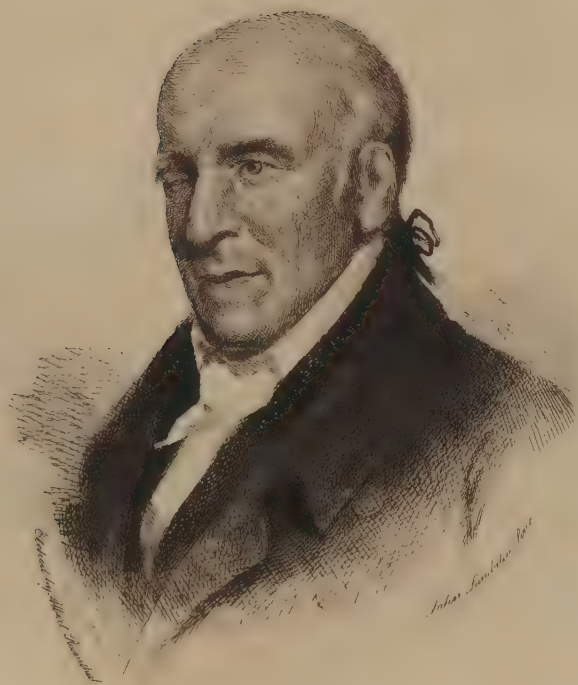
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He, sensitive in his nature, at times was seriously depressed by the sharp criticisms put upon him, but he rose manfully above them all and was the successful candidate of his party for re-election, his opponent being James Ross, who received only 17,125 votes, a little more than one-third of the total vote of the State. At this time Ross was a conspicuous figure in State history and



LaFayette's Headquarters, Chadd's Ford

Engraved especially for this work from a negative by Louise D. Woodbridge

stood for the best principles of the Federal party, but now that party had lost much of its strength, had neglected to nominate candidates for all offices and evidently had concentrated its forces for the gubernatorial contest in which it met such disastrous defeat. McKean was a strong candidate and received the united Republican and Democratic support; Ross was equally strong as a

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man and as a candidate, but his party was weak and its principles were unpopular with the people.

McKean's re-election in 1802 was a splendid vindication of his administration and of his personal integrity of character; and of the latter in particular, for articles of impeachment had been preferred against him, although they never were pressed, being more for the purpose of crushing his administration than punishing him for malfeasance in office. It is true that his political henchman had ruled with high hand in turning opponents out of office and replacing them with friends of the Governor; it is true that McKean frequently was ill-advised and allowed himself to be swerved from the path of strict duty through the importunities of those about him, but no man could truthfully claim that the second Governor of our State committed any act in office which made him amenable to the law of impeachment.

However, in the heat of political contests in the early history of the great parties such proceedings as that above narrated were not infrequent, and even members of the State judiciary were made to feel the weight of political vengeance. In this respect the attempted impeachment of Judge Addison is in point, but its details are unnecessary in this place, and the reader will content himself with an extract from Judge Addison's address in his own defense, as illustrative of the tendency of the time when political animosities so swayed men's minds as to impel them to adopt extreme measures in accomplishing their purposes.

On the occasion referred to Judge Addison said: "In vain does the constitution prescribe that the judges shall hold their office during good behavior with their salaries undiminished, if the legislature may harass them with frivolous impeachments, or arbitrary addresses for removal. These are abuses of legislative authority, frauds upon the constitution and oppression of the judges. It is destroying the protection of the people, for it is humbling, degrading and enervating a power established for the protection of the people. It is removing all motives to a manly and useful exer-

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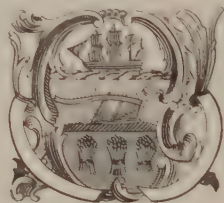
cise of judicial authority, and teaching the judges a tame, obsequious spirit of sycophancy and base compliance. It is making the judges ready tools of every reigning party, and reigning passion, prostitutes to popularity and fluctuating slaves to influence."

Elsewhere he says: "Beware of considering the prevailing clamor of the day as the steady, solid, permanent voice of the people, or the present domineering demagogue as the people's steady, permanent friend or favorite. * * * The party which one year is triumphant may be defeated and prostrate the next, and the persecuted man may turn on the persecutor and avenge the injuries of the proud day of prosperity. Set not an example of converting your government to a shifting scene of giddy revolution, where every officer is but the pageant of a day, just showing himself and vanishing. * * * Prostitute not the power of impeachment to trivial occasions, or you will render it contemptible. Reserve it, as it ought to be reserved, for high crimes and misdemeanors."

In the same year (1803) a petition was presented for the impeachment of Justices Shippen, Yeates and Smith, of the Supreme Court, upon the address of Thomas Passmore, the article charging oppression and false imprisonment, the complainant having been committed for contempt of court. The matter was considered in the Assembly, and the House recommended that the court be impeached for high misdemeanors. Accordingly articles "were prepared and the impeachment was sent to the Senate," and upon final consideration by that body thirteen senators voted for and eleven against the accused justices. Hence the impeachment failed in that a two-thirds vote was necessary to sustain it. In this proceeding the chief point in contention was the extent to which the common law of England was applicable or in force in Pennsylvania, whether the justices had exceeded their authority in construing its provisions and harmonizing them with the statutes then in force, and also with peculiar exigencies of the case out of which the impeachment had grown. As an element of State history the affair of the impeachment of the justices was of minor importance,

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but in its relation to the jurisprudence of the Commonwealth it was a subject of great moment, and was discussed and commented upon in all the populous States of the country, as the beginning of a movement to set aside the strict teachings of English common law and to establish precedents applicable to our own necessities without especial regard to those which originally had



First Engraved Arms, 1777

been imported from the mother country. The time had come when an independent judicial system in this State was made necessary, and this was one of its beginnings.

In considering the political aspect of the impeachment proceedings it may be said that Justices Shippen, Yeates and Smith belonged to the Federalist party, and one object in impeaching them doubtless was to make places for their opponents. About this time Judge Brackenridge said that although he was not on the bench at the time of the affair, he wished to express his approval of the action of the justices; and for this candid utterance he was called upon to answer, for two-thirds of both houses of the legislature addressed the Governor requesting his removal; which was promptly refused.

Undoubtedly, during this period of our history there were many abuses of the judicial power, and partisanship also may have been a factor in provoking impeachment proceedings without just discrimination as to the true character of the alleged offenses against the established forms of law; but at that particular time there was little sympathy with anything that savored of English

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customs of law, except in ultra Federalistic minds, and the majority favored the establishment of an independent American system of government in every department. To remedy some of the alleged evils in the judicial system, various expedients were suggested, and the legislature did pass an act for facilitating court proceedings through arbitrators; but the measure was not approved by the Governor, whereupon a demand was made for another constitutional convention to correct the supposed imperfections in the judicial system and also to limit the powers of the executive. Nothing, however, was accomplished at the time, but in due season the system of government was regulated to suit existing conditions and to provide for future contingencies.

Governor McKean had opposed another constitutional convention, had strongly opposed the impeachment of the judges, and his position in the matter provoked serious criticism of his course among his political opponents, and likewise brought upon him the censure of many of his party friends who championed the "spoils of office" system. But true to his convictions of right, he stood firm and unyielding and was ready to sacrifice friendships rather than abandon a right principle. He was not the enemy of the people's liberties, but he was a believer in law and obedience; but his determined methods and his evident dislike of partisan legislation increased the opposition to his administration. His refusal to sanction the call for another constitutional convention created a storm of ill feeling and even the "Aurora" was found on the side of the opposition to his course. In a recent message the Governor expressed his views as follows: "The organization of the judicial power of Pennsylvania has been long and fairly condemned. But there is not a defect suggested, from any quarter, which the legislature is not competent to remedy. The authority of the judges may be restricted or enlarged. The law which they dispense, whether statute law or common law, may be annulled or modified. The delay of justice may be obviated by increasing the number of judges in proportion to the obvious increase of judicial business,

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or by instituting local tribunals, where local cases demand a more constant exercise of jurisdiction. With this view of the subject and anxious to destroy every pretense for an attack upon our constitution I pray you, gentlemen, to engage head and heart in every necessary, in every salutary reform."

Although the constitutional convention was not held, the proposition found many supporters in all parties, and a society of "Friends of the People" also was organized to aid in the work. Again, out of the peculiar condition which resulted from divided public sentiment about this time, a new political party was created, comprising those who were not favorable to the constitutional amendments and certain members of the Federal and Republican parties. The new party took the name of the Constitutional Republicans, and was also called "Tertium Quids."

Under the changed conditions McKean's friends knew that the Duane influence would now seek to defeat his renomination for Governor if possible. The nomination of Governor then was made by a legislative caucus. Duane had settled on Snyder, who was then Speaker of the House, and was supposed to be especially popular among the Germans, from whom it was expected a generous support would be drawn.

On the organization of the new party Peter Muhlenberg was elected president and Mathew Carey secretary, but the controlling spirit was Dallas. He was still serving as secretary of state and was familiar with all the politics and politicians of the State. But he was not the man to quietly endure the dictation of Duane. He replied in the strongest terms to the reasons for calling a constitutional convention, and his published address was one of the most forceful of his productions. It gave evidence of a lofty spirit and was a severe arraignment of the methods and purposes of those opposed to the Governor.

The legislative nominating caucus at Lancaster dissolved in confusion, some members urging the renomination of McKean, while others as warmly favored Snyder. The "Freeman's Jour-

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nal" characterized Snyder as a Pennsylvania "Dutchman," and intimated that even the "Aurora" did not give him a very hearty support. The campaign was highly spirited. The Constitutionalists tried to win the young men who had been expelled from the Tammany society, and issued 25,000 copies of their address, which was written by Dallas and was translated into German. Numerous branch societies were formed in different counties to sustain the cause, and the contest became very warm. One of the most prominent supporters of Snyder was John Bemis, who edited the "Republican Argus" at Northumberland. Like Duane, he was of Irish birth and parentage, and after coming to America he became a conspicuous figure in Pennsylvania history. His wife was a daughter of Dr. Priestley.

The Republicans miscalculated on the German support of Snyder in 1805, for McKean received 43,544 and Snyder 38,483 votes, and the successful candidate once more found himself supported by those from whom he had broken away only a few years before, while the new Constitutional Republican party soon disappeared from view, having accomplished its mission in the re-election of the Governor. But McKean's victory at the polls was not without subsequent losses, for soon afterward he became involved in suits for libel against Duane, Leib and others, while they, in retaliation, presented the Governor for impeachment on charges of abuse of the executive power. This proceeding, however, was hardly more than a revival of old political troubles and was the inspiration of envy and jealousy. After a committee of the House had investigated the charges and made its report, a vote was taken, resulting in a tie—a division on party lines, and the matter was thereupon indefinitely postponed; and the Governor's reputation was in no wise smirched through the action of those who sought to cause his downfall.

After the happening of the events just narrated an election was held in which Doctor Leib was a candidate for the Assembly and Duane for the Senate. Duane styled his opponents "The Fourth

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Coalition,—Federalists—Quads—and Quadrooms.” Leib was elected, but Duane went down in the storm. The “Aurora” lamented over this “first Federal triumph!” since Jefferson’s election, but it was soon followed by another at a special election to fill a vacancy in the Assembly. McKean’s third term after the failure to impeach him was without important incident. In his message in December, 1806, he alluded to the defects in the judicial system and the necessary methods of amending them, the increase of the number of Supreme court judges, the mode of drawing jurors and the im-



Pennypacker Mills

Washington's headquarters during portions of the fall of 1777. Engraved for this work from a negative by W. H. Richardson

provement of the criminal laws. The Governor also reminded the “legislative guardians” that libeling had become “the crying sin of the nation and the times.” “It is not,” said he, “the licentiousness of a single press, nor the machinations of a particular party, to which, in the faithful execution of my office, the legislative attention is thus directed; the crime is to me the same, whoever may be the criminal and wherever may be the section. But it is the general prostitution of the liberty of the press; the overwhelming torrent of political dissension; the indiscriminate demolition of public characters, and the barbarous inroads upon the peace and happiness of private individuals, which constitute in my mind a subject of the highest concern to yourselves and to your posterity.

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The fatal consequences of this public malady begin already to appear. The press has lost its uses as an instructor and a censor. Citizens of the same community are pledged to mutual hatred and persecution. All respect for the magistracy and the laws is falling into derision. Good and wise men will soon abandon the field of public service and, with a fatality not uncommon in the history of nations, the avowed friends of free representative government are arming its real enemies with weapons for its destruction."

Several of the Governor's recommendations received legislative attention and were enacted into laws during his official term, while others were delayed until a later period. As a whole his administration was a success, although at times he was the object of bitter and unwarranted attacks, both upon his policy and his personal integrity. Yet he rose above all petty assaults and stood firmly upon his own convictions of right and his high sense of duty. His political enemies often sought to cause his downfall and beset his path with cunningly devised pitfalls, but he avoided them as carefully as he did the various schemes proposed by politicians of his own party, the advocacy of which would have involved his administration in difficulties and brought upon him the condemnation of friends and foes alike.

During his term, also, much good was accomplished in the way of general progress throughout the State. The population was largely increased and settlement was extended into hitherto unoccupied localities. The public improvements originated under the preceding administration were carried into effect in several parts of the State, and in 1804 a route of transportation was in operation from Philadelphia to Pittsburg, with stations at the principal towns of Lancaster, Harrisburg, Carlisle, Shippensburg, Bedford, Somerset and Greensburg.

Among the more important legislative enactments during McKean's term, in addition to those already mentioned, was that to provide for the regulation of the militia, which was passed in

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1802, and was one of the first laws of its kind to make elaborate provision for the establishment of a military force for the defense of the Commonwealth. This was a new and highly desirable measure, as under it the military was so organized and disciplined as to be ready for efficient service during the second war with Great Britain. The act and the proceedings under it are made the subject of special mention in another part of the present work.

It was during Governor McKean's term that Pennsylvania became by force of circumstances the pivotal State in the political history of the nation, although several years previous to that particular time the seat of the federal government had been removed beyond its limits. For many years the State in general and its metropolitan city of Philadelphia in particular, had been regarded as the center of political events, and nearly all the great measures affecting the country at large were originated and promulgated in that municipality. In 1803 the Democratic party (which then included the lesser Republican party following) was in the ascendancy, and its principles and doctrines controlled the policy of the democracy throughout the land. Its leaders and champions were among the foremost men in public life, and whatever they did was regarded as the fundamental law of the party in the country, and it was studiously followed and adopted in other States. It was at this time, and in the year mentioned, that Pennsylvania became known as the "Keystone State," and that, by reason of its peculiar and important relation to our national political history. In an address published and issued by the Democratic committee in 1803 for the guidance of the party at large there appeared these words: "*As Pennsylvania is the Keystone of the democratic arch, every engine will be used to sever it from its place.*" This is believed to have been the first instance in which Pennsylvania was compared with the "keystone of an arch," and from the expression used on that occasion this Commonwealth has since been frequently referred to as the "Keystone State."

CHAPTER IX.

SNYDER'S ADMINISTRATION—1808-1817

THOUGH Snyder was defeated in the gubernatorial contest in 1805, his election was not long delayed. Duane and Leib reluctantly supported his earlier candidacy, and now were more lukewarm in advocating his election, as both well knew that Bemis was preferred to them in Snyder's esteem, and would be more potent in guiding his course; but the current of popular sentiment was too strong for these veteran leaders to attempt to overcome, and they therefore determined to drift with the tide and leave the expression of their dissatisfaction for some later occasion. Humiliating as was such a course, the alternative would have been still more embarrassing. Only six counties gave a majority for Ross, the Federalist candidate (Delaware, Chester, Bucks, Lancaster, Luzerne and Adams), and Snyder was elected by a majority of 28,400 votes.

He was born in Lancaster, November 5, 1759, the son of a mechanic who emigrated to America from Oppenheim, Germany, and settled in Pennsylvania. Simon learned the business of tanner and currier at York, and acquired his early education at the night school of John Jones, a Friend. In 1784 he removed to Selinsgrove, then in Northumberland county, where he opened a store and also became the owner of a mill. For twelve years he served as a justice of the peace, and so greatly respected were his decisions that no appeal was ever taken from any of them to a higher court. He was a member of the convention that framed

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the new State constitution. In 1797 he was elected to the House of Representatives; three years afterward was chosen Speaker, and he served in that capacity for six years, until his election to the governorship.

After Snyder's election, Dr. Leib at once became an aspirant for the secretaryship of the Commonwealth, for which position he was well equipped by reason of his previous public service; and, as a strong Republican, he had always cared for the welfare of his political friends. But N. B. Boileau, a representative from Montgomery county, and a close friend of Snyder's, received the appointment, although he was bitterly opposed in certain quarters.

Snyder's mode of procedure in appointing Boileau secretary is proof that he was not a novice in politics. After the place was offered to Boileau, he was told to preserve silence and to offer himself for the speakership. By this movement Dr. Leib was so gracefully removed from the political foreground that he and all other Republicans voted for Boileau. In fact, the latter received every vote except four of the Assembly, for at this time the entire strength of the Federalists in the House was reduced to that number. Having obtained almost the entire endorsement of the Assembly, he was appointed secretary, and resigned his legislative office, leaving his bitterest opponents to contemplate with whatever serenity they could their first rebuff at the hands of the Governor.

One of the first events in Snyder's administration was his action in Olmsted's case, of which an account has been given; his capture of the British ship "Active," and its seizure and retention as a prize by an American vessel. Congress sustained Olmsted's claim, but the State court of Pennsylvania would not acquiesce. The vessel was sold and the proceeds paid over to the treasurer of the State. The fund was in the form of loan-office certificates, which, on the death of the treasurer, passed into the possession of his representatives. A process was brought against



Washington

After a portrait by Peale in Independence Hall
Philadelphia.

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the latter by Olmsted, by virtue of a decree of a federal court, to recover the funds. At this juncture Governor Snyder took action in the matter, and called upon the militia to prevent the United States marshal from collecting the claim. The marshal attempted, but General Bright, who was in command of the State militia, would not suffer him to act. Bright and eight others were indicted and tried before Judges Washington and Peters. They were convicted of the offense charged against them, and were sentenced to imprisonment and fine, but were at once pardoned by President Madison. On the trial of the case, which attracted much attention in court circles, on account of the jurisdictional questions involved, there was no dispute concerning the facts, but the controversy turned upon the relative rights of the federal and State governments. In the end, Olmsted's claim was vindicated, but the main question of State rights as against the federal authority remained unsettled for many years afterwards. In itself this affair was of little consequence in the history of the State, yet in another sense it became more important by reason of the conflict of authority between the national and State governments.

In 1811 Snyder was re-elected by a substantial majority, though the Federalists made large gains in the legislature and in local officers. For Governor, their vote was divided between William Tilghman, Richard Folwell and others. Snyder had proved a good Governor, and by his honest, firm course had won the respect of many persons who at first were inclined to oppose him. Bemis remained one of his chief advisers, which naturally aroused the jealousy of those who were envious of his good fortune, and who could not consent that another should invade the ground that had been so long held as their own.

At this time, although political events engaged the attention of those who sought profit thereby, the people of the State were considerably aroused over the strained relations of the United States with Great Britain, and the lesser excitements of local

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strifes and contentions for personal advantage were for the occasion laid aside. Indeed, the events leading to the second war with the mother country dated back of Governor Snyder's time and had their beginning during the term of office of his predecessor; and while the countries were nominally at peace, each was quietly making preparations for the struggle which was sure to follow. During all this time there was a constant and increasing ferment regarding war and politics; the growing dissatisfaction of the government and a majority of the people of the United States with the government of Great Britain, on account of her disregard of neutral rights in the contest with Napoleon, had at length reached the verge of war, and the denunciations of that power in Congress, in State legislatures, in the press and in public meetings were constantly becoming more bitter. While this was the sentiment of the ruling party (that is, the Democratic or Republican, for it went by both names), the Federalists, who constituted a large and influential minority, opposed a war with England, asked for further negotiations, and met the Democratic denunciations of that country with still more bitter attacks on Napoleon, whom they accused the Republicans with favoring.

For several years the aggressive acts of the British had been a subject of anxiety and regret, and each succeeding season disclosed some insulting action which intensified the feeling of animosity on this side of the Atlantic. As a matter of fact, the United States had maintained a strict neutrality during the progress of the Napoleonic war with Great Britain, but our rights as a neutral nation were invariably disregarded. The embargo laid by Congress upon the shipping in American ports was so injurious to commercial interests that it was repealed, and a non-intercourse act was passed in its stead. In April, 1809, the English ambassador in Washington opened negotiations for the adjustment of existing difficulties, and consented to a withdrawal of the obnoxious "orders in council," so far as they affected the United States, on condition that the non-intercourse act with

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Great Britain be repealed. This was agreed to, and the President issued a proclamation announcing that after the 10th of June trade with Great Britain might be resumed; but when the news of this action reached England that government refused to ratify the proceedings, and the minister was recalled. The President's proclamation was thereupon revoked, and the previous relations



Bell used by Washington at Valley Forge

Now in Independence Hall, Philadelphia

of the countries were resumed, although the feelings were more tense than before and an open rupture was regarded as inevitable.

In addition to other injuries and insults to Americans, England claimed the right to search their vessels, seize all who were suspected of being British subjects and force them into the British service. In the enforcement of this "right of search" grievous outrages were perpetrated, which called loudly for redress. On June 12, President Madison sent a confidential message to Congress, in which he recapitulated the long list of British

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aggressions, and declared it to be the duty of the House to consider, as was its constitutional right to decide, whether the Americans should longer remain passive under the accumulated wrongs. At the same time he cautioned Congress to avoid entanglements in the "contests and views of other powers" (meaning France).

War was formally declared on the 19th of June, but the measure was not generally sustained, especially in New York and New England, where shipping and commercial interests had been seriously affected by the enforcement of the embargo and non-intercourse acts of Congress. The antagonistic element was embraced in the Federal party, its chief ground of opposition being the alleged fact that the country was not prepared for war. In Pennsylvania, especially in the region bordering on its navigable waters, commercial interests suffered, as did those in the eastern States, but the interior localities were less injuriously affected, although "war talk" was the uppermost topic of discussion in the press and in the assemblages of the people. Almost every town had its little contingent of Federalists, who, for the occasion, termed themselves the "peace party," and they were loud in their denunciation of their opponents, whom they called "screaming war hawks."

At the time of which we write Pennsylvania was represented in the lower House of the legislature by twenty-two members, of whom all save one voted in approval of the declaration of war. Two members of the Senate also seem to have allied themselves to the Federal cause and opposed the war measure. Then the only Federalist in Congress from Pennsylvania was John Gloninger, who had been elected by a majority of three hundred votes to represent the counties of Lancaster, Dauphin and Lebanon. Having voted against the war tax bill, he resigned, and Edward Crouch, who belonged to the war and administration party, was elected by a majority of seventeen hundred votes.

The people of Pennsylvania were strongly in favor of the war, for most of them believed that Great Britain had wantonly

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trampled on their rights. Others resented just as strongly the conduct of Great Britain, but believed that she could be brought to terms by a less severe method. For several years the administration had been attempting to compose all difficulties with Great Britain, but matters had grown worse, and the people had become decidedly impatient.

In May, 1812, Governor Snyder issued an order drafting fourteen thousand men as the quota of Pennsylvania for the general defense. In his order, which burned with feeling, he reviewed the invasion of American rights and the efforts that had been made to establish them by peaceful methods. After stating that for nearly thirty years we had been at peace with all the nations of the earth, while the storm of war had been desolating many countries of the civilized world, all the means which wisdom and patience could devise had been in vain resorted to in the hope of preserving peace. "The cup of patience, of humiliation and long suffering," declared the Governor, "had been filled to overflowing; and the indignant arm of an injured people must be raised to dash it to the earth and grasp the avenging sword. If ever a nation had justifiable cause of war, that nation is the United States. If ever a people had motives to fight, we are that people. It would give the governor inexpressible satisfaction if Pennsylvania would volunteer her quota."

At the outbreak of the war the militia forces of the State comprised ninety-nine thousand four hundred and fourteen able-bodied men. The fourteen thousand men who were then called into service were organized by Adjutant-General William Reed into two divisions, four brigades and twenty-two regiments. The first or Philadelphia division was commanded by Major-General Isaac Morrell, and the second, from Pittsburg and its vicinity, by Major-General Adamson Tannehill. So generous was the response to the call for troops that the quota of the State was more than filled without even so much as a suggestion of a draft. In fact, three times as many men as were required offered them-

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selves for the service of their country. The total number of men required was four thousand, of which two thousand were rendezvoused at Meadville, and the others at Pittsburg. The work of organizing, officering, arming and providing for the two brigades was effected with as much celerity as the militia law and system would permit. Although the State had been trying to establish a militia system under the provisions of the act of 1802, there was little real efficiency in the organization, and such arms and equipment as were then on hand were of ancient patterns, while the men themselves were without experience or training in the arts of war.

In his message to the legislature in December, 1812, the Governor discussed at length the condition of the military organization of the State and the real lack of proper equipment, yet the chief executive well knew that brave soldiers carried the old time-worn muskets, and that in case of need every man would do honor to the State and the cause he was called upon to defend; and, knowing these things, it was with every confidence that the Governor said: "The sword of the nation, which for thirty years has been rusting in its scabbard, has been drawn to maintain that independence which it had gloriously achieved. In the war of the Revolution our fathers went forth, as it were, with a sling and with a stone and smote the enemy! Since that period our country has been abundantly blessed, and its resources are greatly multiplied. Millions of her sons have grown to manhood, and, inheriting the principles of their fathers, are determined to preserve the precious heritage which was purchased by their blood and won by their valor."

Throughout the period of the war no enemy set foot on Pennsylvania soil, although close to the northern border of the State there were many severe contests, in some of which the militia sent from here took an active part. In the western part of New York several battles were fought, and in nearly all of them the brave Pennsylvanians performed their duty and maintained the honor of

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the State. The two thousand troops rendezvoused at Meadville were ordered to Buffalo, where General Dearborn commanded, and in August, 1812, Governor Snyder ordered that officer not to hold his men in service there for more than three months, as there was reason to believe their presence within this State would be required. In fact, the northern and western frontiers were



Washington's Headquarters, Valley Forge

1777-1778; the office was in the room to the left in which the windows are raised. Engraved for this work from a negative by D. E. Brinton

frequently threatened during the summer and fall of the year mentioned, and General Kelso's division was constantly on duty in the vicinity of Erie, where an invasion was threatened. However, the year passed without more than alarm spreading among the people, and in the meantime the troops were put in condition for either aggressive or defensive service. In the Eastern part of the State the year was uneventful, except that preparations were made for warlike operations both on land and sea. Philadelphia

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was the scene of busy events, for there was reason to expect an attack upon the city by the British navy; and to resist the probable assault, several gunboats were built and armed and manned according to the resources of the war department. Privateers also were fitted out for their peculiar, yet effective service in running down and making prizes of British merchant vessels. Fort Mifflin, too, was put in condition for defense, and otherwise the Delaware river on both sides was so provided with defenses that a hostile fleet would meet with a truly American war reception.

Having thus noted some of the preparations made for the general defense of the State during the early part of the war, it is proper that there also be made some brief allusion to the composition and disposition of the various troops organized for service about the same time. Early in 1813 one thousand men were stationed at Erie to protect the vessels of war which were in course of construction, and which were soon to form a part of Perry's famous fleet. Another thousand men, comprised chiefly of volunteer and independent companies, commanded by General Bloomfield, was ordered to the defense of Philadelphia, and a camp was established at Shell Pot, north of Wilmington. Captain Lewis Rush, who for several years had commanded a volunteer company called the "Philadelphia Blues," was elected lieutenant-colonel of the troops, and Lieutenant Henry Myers was promoted captain of the Blues, or "Bucktails," as they were more generally called. The term of service was four months.

In the summer of 1814 Governor Snyder ordered out troops to serve for the protection and defense of the lower part of the State of Delaware and the Elk river. A camp was established for the first brigade in the neighborhood of Wilmington, called Camp Dupont, and was under the command of General Thomas Cadwalader. The infantry regiment was commanded by Clement C. Biddle, and there also was a battalion of artillery with a well-appointed battery under the command of Colonel Prevost.

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In the same year a camp was formed, called Camp Gaines, back of Marcus Hook, composed of parts of the several regiments of the volunteers and militia of the second brigade, first division. This brigade was under the command of General Snyder, with Colonel Thompson at the head of the full regiment. In this camp there was also a force under General Spering, and another under General Shutz. Colonel Sparks had command of a battalion in this division, and Dr. J. B. Sutherland another. The entire division was under the command of Major-General Morrell, while this, as well as the lower camp, was under the command of Major-General Gaines of the United States army. Colonel William Duane and Major Hunter, both of the United States army, had the care of Camp Gaines and superintended its discipline. In addition to these forces were two squadrons of cavalry, one of which was the First, or old "City Troop," commanded by Captain Charles Ross. It had been organized in 1774, had served in the campaigns of 1776 and 1777 and participated in the battles of Trenton and Princeton.

The people of Philadelphia, on learning of the capture of Washington, were deeply stirred. Soon afterward a town meeting was held in Independence Square, over which the venerable ex-Governor McKean presided. Patriotic resolutions were adopted, and it was decided to take measures for the defense of the city. A proclamation was issued by the committee calling on the citizens to aid by their personal labor in erecting the required defenses. To this call the inhabitants heartily responded: old and young, rich and poor, Federalists and Democrats, the brawny mechanic and the sturdy day laborer, alike obeyed the summons. The sites for the earth batteries were at Hamiltonville, now known as West Philadelphia, and the heights at Fairmount, now occupied as the basin. Every morning an immense number of enthusiastic people assembled to give aid to the work of defense.

The most notable events in Pennsylvania history in connection with the war of 1812 were the blockade of the Delaware river in

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March, 1813, by the British fleet under Commodore Sir John P. Berresford, and the naval battle on Lake Erie in September of the same year. The operations of the British on the Delaware and the possible bombardment of the city of Philadelphia had been feared from the beginning of the war, and every effort had been made to resist such an attack. However, the blockade itself, when finally accomplished, was without more serious results than the temporary stoppage of all commerce on the river and the capture of several small craft. Frequent attempts were made to effect capture of vessels of considerable size, but as often were the British repulsed by the militia forces stationed along the river. During the maintenance of the blockade Philadelphia suffered much loss to business interests, besides which large sums of money were expended in preparations for defense, but we have not the record of any loss of life in connection with this disturbing event.

Commodore Perry's naval victory on Lake Erie was an affair of national rather than State character, yet it always has been regarded and treated as a part of Pennsylvania's achievements in the war of 1812. Perry's fleet of vessels was largely built and fitted out at Erie, in the northern part of the State, but several of them were fitted out at points within what now is Erie county, New York. During the previous winter the government had purchased a number of merchant vessels for the purpose of converting them into men-of-war, and the construction of a number of new ones had been begun.

Erie, in Pennsylvania, from its comparatively secure harbor, was wisely selected as the naval headquarters, but five of the vessels had been fitted out in Scajaquade creek in New York, and for several months Perry flitted back and forth between the two places, urging on the work with all the energy of his nature.

Late in February, 1813, while all was quiet among the land forces, a young man of twenty six, with curling locks, bold, handsome features and gallant bearing, wearing the uniform of a cap-

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tain in the United States navy, arrived in Buffalo from the east, and after a brief stay went forward to Erie. His manly appearance was well calculated to make a favorable impression, yet to many thoughtful men and older land and sea fighters he seemed too young and possibly too gay for the arduous and responsible position to which he had been appointed; but a few months were



Benedict Arnold House, Fairmount Park, Philadelphia

Photographed for this work from an old water color in Historical Society of Pennsylvania

to demonstrate that for once, at least, the government had made an admirable selection, for the stranger was Oliver Hazard Perry, then on his way to superintend the naval work at Erie.

According to accepted authority, at the time of which we write the northern frontier of Pennsylvania was little more than a wilderness region, and all the supplies and artisans necessary to be employed in the construction of Captain Perry's fleet were brought overland from the Atlantic seaboard, while the timber for the larger vessels was cut "fresh from the forests adjacent to the

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little town of Erie." "In the face of a thousand obstacles," says Day, "Perry succeeded in getting his vessels ready to leave the harbor in the early part of August, though he was greatly in want of officers and men, particularly seamen. Leaving Erie, the fleet went up towards the head of the lake, where various maneuvers took place for some days between the two squadrons before a meeting took place. Perry had gone to Put-in-Bay on the 6th of September, and on the 9th determined to go out the next day and attack the enemy."

In accordance with his prearranged plans, Perry's fleet sailed out to meet the British on the morning of September 10, and on that day the memorable naval battle of Lake Erie was fought and won—won for the Americans, and was the great event of the year which turned the tide of victory in favor of permanent national independence on this side of the Atlantic ocean. Other notable achievements contributed to the defeat of the British cause, yet the battle of Lake Erie, famed in song and story, surpassed the others in importance and decisive results.

The details of the engagement and the several maneuvers of the battling fleets cannot be of special interest in this chapter—the victory itself is sufficient evidence of American prowess and the ability of a squadron of light American vessels, with a total of fifty-four guns, to overcome and defeat a British naval fleet with sixty-three guns and a full complement of trained seamen. Perry's fleet comprised three brigs, the *Lawrence*, carrying twenty guns and commanded by Perry himself; the *Niagara*, with twenty guns, commanded by Captain Elliott, and the *Caledonia*, with three guns, commanded by Lieutenant Turner; also five schooners, the *Ariel*, with four guns, under command of Lieutenant Packett; the *Somers*, with two guns, under command of Mr. Almy; the *Porcupine*, with one gun, under command of Mr. Senatt; the *Scorpion*, with two guns, under command of Mr. Champlin, and the *Tigress*, with one gun, under command of Lieutenant Holdup.

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The opposing British fleet comprised six vessels, each well manned and equipped and in command of trained naval officers. These vessels were the *Detroit*, nineteen guns, under Captain Barclay; the *Queen Charlotte*, seventeen guns, under Captain Finnis; the *Lady Prevost*, thirteen guns, under Lieutenant Buchan; the *Hunter*, ten guns, under Lieutenant Bignall; the *Little Belt*, three guns, and the *Chippewa*, one gun, under Mr. Campbell.

In summing up the events of this memorable engagement a contemporary writer says: "Perry had manifested the best spirit and the most indomitable resolution not to be overcome throughout the trying scenes of this eventful day. Just before the action commenced he coolly prepared his public letters to be thrown overboard in the event of misfortune, glanced his eyes over those which he had received from his wife, and then tore them. He appeared fully sensible of the magnitude of the stake which was at issue, remarking to one of his officers, who possessed his confidence, that this day was the most important of his life. In a word, it was not possible for a commander to go into action in a better frame of mind, and his conduct in this particular might well serve for an example to all who find themselves similarly circumstanced. The possibility of defeat seems not to have been lost sight of, but in no degree impaired the determination to contend for victory. The situation of the *Lawrence* was most critical, the slaughter on board of her being terrible, and yet no man read discouragement in his countenance. The survivors all unite in saying that he did not manifest even the anxiety he must have felt at the ominous appearance of things. The *Lawrence* was effectually a beaten ship an hour before she struck; but Perry felt the vast importance of keeping the colors of the commanding vessel flying to the last moment; and the instant an opportunity presented itself to redeem the seemingly waning fortunes of the day he seized it with promptitude, carrying off the victory not only in triumph, but apparently against all the accidents and chances which for a time menaced him with defeat.

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"His victory at once raised Perry from comparative obscurity to a high degree of renown before the nation. With the navy he had always stood well, but neither his rank nor his age had given him an opportunity of becoming known to the world. The government granted gold medals to Perry and his second in command, and the former was promoted to be a captain, his commission being dated on the 10th of September, 1813. As he returned to the older parts of the country his journey was a species of triumph, in which warm, spontaneous feeling, however, rather than studied exhibition, predominated."

Although a Rhode Islander, Captain Perry was the recipient of honors from various States, but in none was there shown a more generous appreciation of his valorous deeds than from our own Pennsylvania, whose Assembly directed "that the thanks of the government be tendered to Captain Oliver Hazard Perry for the brilliant action through which he succeeded in capturing His Britannic Majesty's fleet on Lake Erie."

A gold medal was presented to Commodore Jesse Duncan Elliott of Pennsylvania, Perry's second in command, for heroic conduct in that engagement, and silver medals were voted "to those citizens of the State who nobly and gallantly volunteered on board of the American squadron on Lake Erie."

The closing scenes of the war were enacted in the regions of the country both north and south of Pennsylvania, and while the events of the last year had an important effect upon all interests within the State, calling for constant vigilance on the part of its military authorities and frequent requisitions for troops to serve in other parts, there was no threatened invasion of its territory. In the summer and fall of 1813 the British invaded and spread ruin along the shores of the Chesapeake and its tributary rivers, while to the northward, in the western part of New York State, the disasters of warfare disturbed the peace and progress of the entire region, extending even into the northern border counties of Pennsylvania. On August 24th, 1814, Washington, the

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national capital, fell into the hands of the British and was pillaged and burned, together with nearly all of the federal buildings. When the invaders had accomplished their work of destruction in the locality mentioned, the authorities of this State were apprehensive of a similar visitation upon their own cities, and to guard



George III.

King of Great Britain during the American Revolution and the period immediately preceding that conflict

against them Governor Snyder issued a general call to arms, urging especially the services of the militia forces of Dauphin, Lebanon, Berks, Schuylkill, York, Adams and Lancaster counties, and also a part of Chester county, which constituted the second brigade of the third division," and those corps particularly who, when danger first threatened, patriotically tendered their services in the field. These forces, urges the Governor, "are earnestly

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invited to rise superior to local feeling and evasives that might possibly be drawn from an imperfect military system, and to repair with that alacrity which duty commands, and it is fondly hoped inclination will prompt, to the several places of brigade or regimental rendezvous that shall respectively be designated by the proper officer, and thence march to the general rendezvous;" and further: "Pennsylvanians whose hearts must be gladdened at the recital of the deeds of heroism achieved by their fellow citizen soldiers now in arms on the lake frontier, and within the enemy's country, now the occasion has occurred, will with ardor seek and punish that same implacable foe now marauding on the Atlantic shores of two of our sister States."

In accordance with the import of the proclamation, the several military camps previously mentioned were established, and a force of five thousand men was soon rendezvoused at York and was under the command of Major-General Watson and Brigadier-Generals John Forster and John Adams. When the British under General Ross attempted the capture of Baltimore, these loyal sons of Pennsylvania formed a part of the successful resisting force, and it fell to them in particular to accomplish the repulse of the enemy. In the same year other of the State's military forces rendered excellent services at Chippewa and Bridgewater, and thereby won the gratitude of the people of the entire country.

In writing of the events of the war, a recognized authority says that during the struggle this State at one time had "a greater number of militia and volunteers in the service of the United States than were at any time in the field from any other State in the Union, and as she furnished more men, so did she furnish more money to carry on the war." The militia and volunteers, during the course of the year, were actually engaged in Canada, on Lake Erie, at Baltimore and in other important localities, and also were always in readiness to assist in both offensive and defensive operations in New York and New Jersey. That they were ever loyal to the American cause, even under questionable

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circumstances, is evidenced in the fact that when General Van Rensselaer's four thousand New York militia refused to cross the line and carry the warfare into Canadian territory, General Tannehill's brigade of two thousand sturdy Pennsylvania soldiers did not hesitate to fight in the territory of the enemy; but then, we must consider that Pennsylvania was not subject to the Federal influences that prevailed in New York State. It was not so much the fault of the New York soldiery as of the influence controlling their actions that impelled them to refuse to cross the Canadian border. In this respect Pennsylvania was blessed with a greater unanimity of sentiment among influential men than prevailed in many other States, and the demand upon the authorities for men and moneys with which to carry on the war was not embarrassed with the Federalistic opposition that always manifested itself in similar cases in some of the eastern States.

The treaty of Ghent was concluded on December 24, 1814, but the closing acts in the tragedy of the war were the battle of New Orleans, January 8, 1815, and the gallant capture of the British warships, *Cyane* and *Levant*, by Captain Charles Stewart's grand old frigate, "*Constitution*". A general conviction prevailed throughout the country after the peace of 1814 that the United States would not again become involved in war. It had twice defeated one of the strongest nations of the earth, and the feeling strengthened that foreign powers would hesitate long before provoking the republic to hostilities. This condition of the public mind exerted a widespread and beneficial influence upon the progress of settlement in our own State, which had been seriously impeded by the war, and immediately after the conclusion of peace the long restrained tide of settlement again progressed, and an era of prosperity soon prevailed on every hand.

The revenues of the State were nearly sufficient to pay the expenditures incurred during the war, and only one small temporary loan was required. Business suffered not more than temporary interruption on account of occurring events, yet during

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the war period a cloud was gathering which soon was to have a serious effect on the financial situation in the State. In 1811 the United States bank, after twenty years of honorable and useful life, came to an end, and that at a time when its services were needed more than ever to assist the government and the people. It had furnished an excellent circulation that was acceptable everywhere, and its currency was always redeemable. Gallatin saw the unwelcome shadow of the war looming up in the distance and put forth every effort to save the institution, but in vain. The State banks were envious of the power of the larger institution, and in a failure to renew its charter their officers saw the opportunity to advance their personal ends. Never was a battle for the renewal of a charter more evenly waged, but it was lost by a single vote in the House and a like majority in the Senate. After the failure to secure renewal of its charter, an attempt was made to procure a charter from the State legislature, and a bonus of half a million dollars was offered and a loan to the State of as much more. The eagerness shown by the shareholders to perpetuate their institution naturally excited the attention of the public, and especially of the inhabitants of some of the interior counties, who assumed that much of the prosperity of the cities was due to the establishing of the banks, and that, if this were the case, there was no reason why the country should not participate in their advantages. Such considerations as these, urged by the desire of accumulating wealth without the exercise of labor, engendered a spirit of speculation. It was supposed that the mere establishing of banks would of itself create capital; that a bare promise to pay money was money itself, and that a nominal rise in the price of land and the commodities ever attendant on a large increase of money, was a real increase of substantial wealth. The Farmers' bank, with a capital of \$300,000, was established in the county of Lancaster, early in 1810, and about the same time several others were opened in the city and in other parts of the State. These early symptoms of a mania for banking induced the legislature,

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on the 19th of March, 1810, to enact a law prohibiting banks that were not incorporated from issuing notes, or pursuing any of the operations of banks, but in defiance of its provision, the system was continued, and companies originally incorporated for the purpose of building bridges departed from the spirit of their charters, converted themselves into banks and issued circulating notes.



The Wharton House, Walnut Grove

Scene of the "Meschianza;" reproduced by
courtesy of Miss Anna H. Wharton

The war temporarily put a stop to the exportation of specie, and thereby checked the extravagant issues of paper money, and the consequent cessation of the returning notes for payment had the effect to tempt the banks to enlarge their issues. Large loans, also, were made to the government and to individuals. The increase of dividends, and the facility with which they appeared to be earned, extended the spirit of speculation, already so prevalent in some counties. The apparent success of the Farmers' bank of Lancaster, which, from the enormous extent of its issues, was

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enabled to divide upwards of twelve per cent. per annum, and to accommodate its stockholders with loans to double the amount of their stock, had a powerful influence on the public mind. By many a bank was no longer regarded as an instrument for lending the surplus wealth of capitalists to their industrious fellow citizens, but a mint in which money could be coined at pleasure for those who did not possess it before. Under these delusive impressions, associations of individuals sprang up in every quarter, holding out inducements to the farmer, the merchant, the manufacturer and mechanic to abandon the pursuits of a laborious life for the golden dreams of a speedy fortune.

The liability, however, to individual ruin, attendant on unchartered co-partnerships, in a degree restrained the banking mania and impelled the projectors to apply for legislative sanction. During the session of 1812 twenty-five applications were made for bank charters, with a combined capital of \$9,525,000. Acts granting charters passed both Houses by a small majority, but Governor Snyder cut them down with a veto, giving several sufficient reasons for his action: Because corporations are privileged institutions, vested with certain rights and immunities not enjoyed or to be exercised by the great body of the people; and whenever an association of individuals is legally vested with such peculiar powers and privileges, it ought to be either called for by the general voice of the people or be so manifestly for the promotion of the public weal, and beyond the accomplishment of individual enterprise and ability, as to satisfy the judgment, and thus receive the votes of an indisputable majority of the whole legislative Assembly. Because every objection which could be urged against corporations generally gathers weight and strength when directed against moneyed institutions, the undue influence of which has often been the subject of well-founded complaint. To wrestle with and put down this influence new associations have been formed, applications for new charters for similar establishments have multiplied, and in proportion as they have been granted has

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been the multiplying of new applications. Because the banking capital was sufficient. The difficulty in distinguishing real from counterfeit bank notes. Because the history of all nations that have authorized an extensive paper currency, and the experience of our own country, have furnished melancholy examples of the disastrous consequences which flow from such a system. Because an existing condition of war was an unpropitious time in which to try experiments, particularly when they might seriously affect the finances of the Commonwealth, which then yielded a revenue from the bank stock which it owned more than equal to the current expenses.

Though his veto was effective for the time being, the next year the projectors returned to the legislature strongly reinforced and applied for forty charters. The effort was too strong for the Governor, and the bills were passed, notwithstanding his objections; and again was the State to be flooded with paper money, as it had been during the Revolution. The terrible consequence of that flood had been forgotten in the eagerness of the projectors to have their short day of delusive gain. The banks were soon organized and the notes were put into circulation. The excess of issue and lack of faith in them was soon shown by rising prices. The banks thus organized had little or no specie for redeeming their notes. The projectors knew that the people did not understand banking; that the few banks then existing had been well managed and redeemed their notes whenever presented, and thus had prepared the way for them to take advantage of the confidence of the people. The whole system was an alluring one, but was none the less pernicious. The owners of the newly incorporated banks well knew that, unless they could get their bank notes into circulation, they could make no money, for, save in a few cases, they had no real capital. They therefore began a series of practices upon all classes, chiefly those engaged in farming pursuits, and many were utterly ruined as the result of misplaced confidence. But, on the other hand, when the bank-note holders presented their paper for

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redemption, many of the banks were without funds, hence were compelled to suspend and close their doors. Thus, through the efforts to establish a State banking system at the time of which we write, both the banking party and their victims were led into financial ruin.

In speaking of this element of Pennsylvania history so good an authority as Bemis has the courage to maintain that, although individuals were thus made bankrupt, the State was benefited by the results of the banking acts, for, says he: "The titles to land became more clear, settled and certain; strangers were induced to purchase and come to Pennsylvania and settle." This is quite true, but it is a question whether to bankrupt the owners was not a costly way of clearing titles.

The eventual downfall of the iniquitous banking system was followed by general depression in all business communities, and many merchants, formerly prosperous, were forced into involuntary bankruptcy. During the earlier days of the loose banking system the State became flooded with paper money, and large credits was easily obtainable, but after the currency value had depreciated the reaction was so great that all business interests suffered great loss, and many disasters were the natural result. It was an unfortunate period in Pennsylvania history, and was not a condition single to this State alone. The era of depression continued for several years, and until natural conditions were restored, through the determined efforts of prudent financial managers and wise measures on the part of the State legislature in inaugurating a money system based on sound principles, regardless of the selfish ends of unscrupulous corporations and grasping individuals. After normal conditions had been restored, there followed an era of progress which was not marred for many years, and during that time all the losses consequent upon the unwise legislation of the former period were fully wipe out.

Throughout the trying period referred to in preceding paragraphs, Governor Snyder exhibited many splendid traits of char-

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acter, and met every emergency with determined courage and the consciousness of having performed his full duty; but the executive, however strong and noble, was not always able to control the legislature. His conduct in trying to stay the deluge of paper money was one of the most noteworthy of his efforts. In many of his appointments he showed fearless independence. He was the first Governor who raised his voice against slavery, as was clearly shown in his message in 1811. On that occasion he said: "Elevated as is her character for humanity, there is yet permitted to remain one other stain on the otherwise fair and benign features of her polity. The galling yoke of slavery is still felt by some of our fellow-creatures in different parts of this Commonwealth, and its pressure is made the more severe by witnessing the happiness and freedom of surrounding multitudes. A recent act of cruelty which came under my notice and which awakened feelings of a painful and distressing nature will, I trust, excuse the introduction to your notice of a subject so interesting to the whole human family, and embracing facts and practices palpably inconsistent with the terms and spirit of that fundamental and immutable law of reason, that all men are born free and equal."

The time was drawing near to nominate Snyder's successor, and the question arose whether he should be nominated by a legislative caucus or by an independent convention. Prior to 1807 the method of nominating was by the members of the legislature during the session, but in August of that year the Republicans of Delaware county met and recommended that each county make choice of as many persons as they send representatives to the



Margaret (Peggy)
Shippen

With "Meschianza" head
dress. From pencil sketch
by Major Andre, in posses-
sion of Edward Shippen

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Assembly, to meet at some central part of the State, and there nominate such person as a majority of the Republicans may think most eligible to fill the office of governor. At a meeting held in Philadelphia not long afterward, the Delaware county plan was approved. This is said to have been a scheme of Duane to defeat the renomination of Snyder, but as the members of the legislature were strongly in favor of Snyder, the old method was sure to result in his renomination, while with a differently constituted convention the result might have been doubtful. County after county, however, declared in favor of Snyder and the old plan of nomination. On the 6th of January, 1808, the legislative caucus requested the counties not represented by Republicans in the legislature to send delegates in proportion to the number of their representatives, to meet at Lancaster jointly with the legislative caucus and make a nomination; and this was done on the 7th of March.

The same plan was adopted in 1811, but was abandoned on the last renomination of Snyder, but as he was not eligible for a fourth term, the "Aurora" advocated a separate convention, from which officeholders should be excluded. The party leaders did not take kindly to the suggestion, doubting their ability to find citizens who would be willing to serve in such a convention without compensation, and advised that the people should either send delegates or appoint their members of Assembly. A convention was therefore called in this manner, which nominated Findlay, in which all the counties except two or three were represented. Of the one hundred and thirteen members, sixty-nine were not members of the legislature. To these proceedings not all were willing to submit. The other element in the party contended that such a body was an irregular caucus, and would be controlled by the officeholders; therefore, in 1816, this faction also held a convention at Carlisle and passed strong resolutions against the legislative caucus, and advised that a separate convention should meet in Carlisle in June the next year and nominate a candidate

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for Governor. This was done, the convention representing fourteen counties, and Joseph Hiester, an influential and wealthy German farmer living near Reading, was nominated.

It would not have been in harmony with the past to have not attempted, at least, to impeach some judges during Snyder's administration, and accordingly, during the last session of the legislature when he was Governor, an attempt was made to impeach the three judges of the Court of Common Pleas, consisting of the counties of Lancaster and York. The charge was that two lawyers had collected a judgment and not paid over a portion to their clients, and that the judges refused to aid the owners in collecting it, and declined to punish their attorneys for their alleged misconduct. The judges were tried in March, 1817, and were acquitted of the charge.

CHAPTER X.

FINDLAY'S AND HIESTER'S ADMINISTRATIONS—1817-1823

NOTWITHSTANDING Hiester's support by the Federalists, Findlay was elected. He was born at Mercersburg, Franklin county, in 1768, of Scotch-Irish parentage. A follower and admirer of Jefferson, his introduction into office was as a brigade inspector of militia, which, in those days, was something of an honor. In 1797, when in the thirtieth year of his age, he was elected to the House of Representatives. Four years afterward he was again elected a member, and voted against the impeachment of Justices Shaffer, Yeates and Smith. His conduct concerning Judge Brackenridge is worthy of notice. The judge addressed a letter to the House after the presentation of Passmore's petition, requesting to be impeached, not for any act of his own, but for his approbation of the conduct of the other justices just mentioned. The House thought that the letter was disrespectful and referred it to a committee of which Findlay was chairman. The committee decided against indulging the judge in his request, but, willing to gratify him in whatever martyrdom there might reasonably be for him, determined on an investigation of his official conduct and recommended the appointment of a committee to prepare an address to the Governor, asking for his removal from office. Of this Governor McKean, as we have seen, made short work.

In 1807 Findlay was elected state treasurer, and was constantly re-elected until chosen Governor. It was at that time a

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legislative office, and on some occasions he received all the votes of that body; on all others his majority was very large.

Findlay's election as Governor was warmly contested, the Federalists supporting his opponent. His majority was 7,059, yet his opponents disputed his election, and contended that a certificate ought not to be given him until the dispute was settled. The Assembly decided otherwise, his certificate was given to him and he was inaugurated. The committee that was appointed to



Arms engraved by Lownes, 1778

consider the truth of the charges then proceeded to investigate them. Three petitions had been presented: one from Philadelphia signed by sixty-nine persons, another from Lancaster signed by fifty-four persons, and a third from Cumberland county signed by seventy-four. Fraud, violence and corruption were charged, though no evidence was brought before the committee to sustain these charges. The petitioners stated that it was manifest on the face of the returns, and from a reference to the amount of taxable population stated in the last census, that the numbers were too disproportionate to be the effect of any but illegal votes.

The report of the committee consisted chiefly in combating this statement and showing that the increase in population was sufficient to cover the votes given at the election. "The number of taxable inhabitants in the State as taken in 1807 was 138,285 and in the census of 1814, 165,427, making the average annual

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increase 3,877; adding 11,631, the increase of three years, to the taxables of 1814, gives 177,058, for the taxables of 1817. The number of votes for governor at the late election was 125,543, which is 51,515 less than the taxables of that year." The committee therefore saw no evidence in these figures of illegal voting.

"The proportion of the votes to the taxables in Philadelphia city and county at the last election was somewhat less than the proportion of the votes to the taxables in the same city and county in 1808, but it was considerably greater than the proportion of votes to the taxables in 1805 and in 1799. We may thence conclude that at the last election nearly all the qualified voters of the city and county of Philadelphia exercised their privilege of voting, and also that the great disproportions between the number of votes and the number of taxables in Philadelphia city and county is permanent, and the result of continued and uniform causes. At all the warmly contested elections of 1799, 1805, 1808 and 1817, we find that the number of votes in proportion to the taxables in all the counties of the State was greater than the number of votes in proportion to the taxables at the same elections in the city and county of Philadelphia. How is this to be accounted for? Do not these facts prove that in the country generally the number of legal voters is greater in proportion to the taxable inhabitants than in Philadelphia city and county, or must we adopt the inference of the petitioners and ascribe the difference to no other cause than to the foulest corruption and perjuries overspreading every part of the State at every election, excepting only the city and county of Philadelphia?

"The census of taxables includes every taxable person of the age of twenty-one years and upwards, whether male or female, resident within their respective township, ward or district, and the right of voting is confined to those male persons above twenty-one who have resided in the State for two years preceding the election and within that time paid State or county tax, and to the sons between twenty-one and twenty-two of voters thus qualified.

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Thus the list of taxables includes all who reside in the district where the census is taken at the time of taking it, whether such residence has been for two years, or only for one week or one day. It also includes all resident aliens, and it includes all who have families in the district at the time of taking the census, although the master of the family may be a mariner, generally at sea, or engaged in business abroad. It must be known to every one that of such persons there is always a much greater number in large towns, more especially in seaports, than in the country. The settlements of the inhabitants of the country are more permanent; there are fewer itinerants, fewer persons from other States of the Union who come to reside for periods less than two years, and fewer aliens in proportion to the population." The charges therefore were considered groundless.

As the end of Findlay's term drew near an elaborate inquiry was made into his public conduct. There had been an investigation of his management of the State treasury early in his administration, but now a more serious investigation was ordered. The party opposed to him was determined to lose no opportunity to undermine him. They had fought his nomination and election, and throughout his term were unrelenting in their attacks. The Republican party had become weakened by divisions and especially by the war of 1812, by the chartering of so many banks, and by the general prostration of credit and industry. As the prosperity argument has never failed to make a party popular whenever the people have believed their prosperity was due to its policy, so the adversity argument has never been less destructive whenever the people have ascribed their misfortunes to mistaken party action. General issues, embodying high principles, have never been powerful enough to restrain members from breaking away and pursuing their narrower individual interests, and the blight to trade, the loss of wealth have always been effective in arousing skepticism, weakening party loyalty, and carrying many a party follower over to the opposite camp.

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Eight charges were brought against the Governor: of corruptly exercising his official duties for his private interests; of misusing the patronage of his office to obtain pecuniary advantages for himself, family and friends, and especially in appointing some auctioneers. The committee sat three or four hours daily from the 8th of January to the 3d of February, and a large quantity of evidence was taken and spread before the public. One of the prosecutors against him was his old friend, John Bemis, editor of the "Democratic Press," who had fought his battle so valiantly in 1817. The result of this investigation was a complete vindication for Governor Findlay, and years afterward, some of those who had been most active in preferring the charges admitted that the whole proceedings were unjust.

During his term of office Governor Findlay had a slave, the only one he ever owned, whom he freed, saying at the time that "the principles of slavery are repugnant to those of justice, and are totally irreconcilable with that rule which requires us to do unto others as we would wish to be done by." Thus feeling concerning the ownership of man, he held strong views against kidnapping, which had become common. At that time it was not unusual to see colored persons chained together passing through the southwestern part of the State. Rarely did one make any inquiry about these hapless, friendless ones, and consequently the practice of kidnapping flourished. Governor Findlay thought that the punishment for the crime ought to be increased. "It is a melancholy fact that our laws regard the stealing of a horse a more heinous offense than the stealing of a man." In this low condition was the moral sentiment of the people toward this awful crime. It may be added that nearly all the Governors had expressed their opposition to the slave system.

While Findlay was Governor the building of the State capitol at Harrisburg was begun. The Governor was one of the commissioners to erect the building. During his term of office the legislature sat in the court house of Dauphin county. Four

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hundred dollars was given to Stephen Hills as a premium for his plan, and two hundred dollars to Robert Mills for his plan, which was regarded as second in merit. These plans were the result of competition and award by the five commissioners. Besides the Governor there were George Bryan, Richard M. Craw, John B. Gibson and William Graydon. The award was made in April, 1819. A contract was made with Mr. Hills for erecting it, for \$120,000, who completed the structure within two years.

Governor Findlay was renominated by the Republicans at a convention held at Lewistown; the Federalists met at Carlisle and renominated General Hiester. A third convention of Republicans met at Northumberland in December, 1820, and a majority favored the nomination of W. B. Boileau for Governor; to this John Bemis, the most influential member, was opposed, and he convinced the delegates that the nomination of a third candidate would result in the re-election of Governor Findlay. So the convention adjourned without making a nomination. The campaign was unusually active. The Republicans had been losing ground, the result of long personal domination, accumulating disappointed ambition and errors in party management. Indiscriminate bank chartering, followed by the flood of paper money and the ruin of the farmers, completed the change. The people had been victimized, and the party in power was responsible for the cruel game that had been played on them. Findlay was defeated, though Hiester's majority was only 1,605.

One of the causes that contributed to this result deserves closer analysis—the exercise of power by the Governor in making appointments. In 1776 the people were so afraid of power that by the first State constitution very little had been confided to the president of the Supreme Executive Council. In truth, he was hardly more than a clerk to register the decrees of its members. All the appointments had been made by votes, the majority controlling, and when a choice was made the president announced the result. The people in due time discovered that the lack of

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a real executive head was one of the defects of that constitution. By 1790 the fear of executive tyranny had passed away. In fact, the new constitution gave ample authority to the Governor to appoint all the judges, secretary of the Commonwealth and nearly all the other officers. The State treasurer was chosen by members of the legislature, as was also the auditor-general.

But now appeared the inevitable fruit of such a great extension of the Governor's power. Those who were influential in electing the Governor thought, or imagined at least, that they were the real power, having the right to hold or to distribute the offices. Nor were they wholly without reason in thus thinking. They had enlisted persons in the cause of candidates on the promise or expectation that in due time they would be rewarded either with offices, or at least enjoy the pleasure of distributing them. Inability to do one thing or the other was a reflection on themselves and disappointment to expectant party supporters.

Thus at last Findlay and his party succumbed through the opposition caused by disappointed politicians, and Joseph Hiester became Governor thirty years after the constitution of 1790 went into effect.

Hiester's parents had come from distant Silesia in 1737. Three brothers had emigrated at the same time and bought a tract of the Proprietaries of several thousand acres in Bern township, a part of the present county of Berks. Joseph was born November 18, 1752, and, like his father, John, followed the occupation of a farmer. His Revolutionary instincts developed early. In 1775 he set out to raise a company of militia for the purpose of marching to Washington's assistance. Drawing the young men of Reading around him, he laid forty dollars on a drum head and said: "I will give this sum as a bounty, and the appointment of sergeant to the first man who will subscribe to the articles of association to form a volunteer company to march forthwith and join the commander-in-chief; and I also pledge myself to furnish

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the company with blankets and necessary funds for their equipment and on the march." He participated in the battle of Long Island, was severely wounded and taken prisoner and for a year was confined in the horrible prison ship *Jersey*. Released, he again joined the army and participated in the ill-fated battle of Germantown, where he was again wounded. His political career began as a member of the convention to ratify the federal constitution in 1787. He was a member of the Constitutional Convention of 1790, and served in Congress from 1797 to 1805, and again from 1815 to 1821. For many years also he had served in the State legislature, and was, therefore, familiar with public affairs. His message was a noteworthy departure from that of his predecessors, in reviewing at much greater length all matters of public interest. It was a temperate, dignified public document, showing a deep interest in and close knowledge of all public matters.

The subject that was beginning to overshadow every other at this time was that of internal improvements. During the provincial times steps had been taken to improve the navigation of some of the rivers, with the double view of cheapening the rates of transportation, and of retaining and drawing trade. The Revolution was scarcely over before fresh steps were taken in the same direction. The merchants of Philadelphia were alert to increase their trade through the improvement of its water ways. Plans appeared in 1790 for improving the Delaware, Susquehanna and Schuylkill, and for uniting these streams.

Then followed schemes for building highways by the union of public and private means. The Governors strongly favored such aid, which was bestowed; though some complained that the State's support was too slow and feeble. So thought Duane. In 1810 he wrote that the representatives to the Assembly were bound to promote by all possible means the welfare of their constituents, and by rewards and bounties stimulate the genius and industry of the citizens. They could introduce the improvements which men of experience and enlightened minds were every day an-

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nouncing in agriculture, arts, manufactures and science; borrow from the institutions of sister States and European nations fit models for our imitation; improve the minds of those advanced in life and give the rising youth, of both sexes, the foundation of knowledge, love of country, virtue and industry; and so direct the energies and resources of this Commonwealth as to make our



Fort Roberdeau

Situated at Sinking Valley, now Blair county; built about 1778. Made especially for this work from an old engraving in possession of Mrs. William M. Darlington

citizens on the Delaware and Susquehanna intimately acquainted with their brethren on the Allegheny and Ohio; and make the capital of the east and the resources of the west mutually aid each other.

Having thus shown the right of the State, as he believed, to promote the public welfare, going as far as the most advanced socialist would desire, he asks: "What has been done? You have had twenty-seven years of uninterrupted peace, yet there has scarcely been any improvement in this Commonwealth for which you can say you are indebted to the intelligence or liberality of your State legislature. The little that has been done was executed with so bad a grace as to rob the act of all the merit of free will.

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Many of your representatives would even now, if they could, destroy what has been done; and it is notorious that individuals proposing internal improvements have been so often accused of the most unworthy motives or met by the most bitter taunts, as to render it a most unpleasant task for any man to urge your representatives to do their duty." Again he asks: "Why are your principal rivers and streams obstructed? Why is your timber, to the amount of millions, rotting or burnt instead of being brought to a ready market? Why are two-thirds of your lands in a state of wilderness? Why do the people of the east, west, north and south think their interests at variance? Why is it that there is not a canal in Pennsylvania, which of all the States requires canals most? Why has not the State held out encouragement to the farmer, manufacturer and mechanic? Why have our skillful and ingenious citizens been compelled to seek paltry capitals from private individuals to enable them to explore and work our mines, improve our mill-seats and enrich the State by employing its immense internal resources? Why, in fact, is it that Pennsylvania, with a greater white population than any of her sister States, and with abilities equal to any of them, is surpassed by several of them in internal improvements?" The answer was short—carelessness in the choice of representatives.

The improvement of the highways was first undertaken. Charters were granted for them and the capital was subscribed partly by the State and partly by individuals. The oldest of these companies was the Philadelphia and Lancaster Turnpike; that was chartered in 1792 and built entirely with private capital, \$465,000. Between that period and 1828 one hundred and forty-six companies were chartered for two thousand five hundred and twenty-one miles of road. Of this amount one thousand and seven miles had been built. The private subscriptions toward them had been \$4,158,347 and the State had contributed \$1,861,542. Numerous bridges had also been built in the same manner, individuals contributing \$1,629,200 and the Common-

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wealth \$382,000 more. Eighteen navigation companies had been chartered to build canals and improve rivers. Toward these, individuals had contributed \$1,416,610 and the Commonwealth \$130,000. The roads were in all parts of the State, but having in view more especially the facilitating of intercourse with Philadelphia, Governor Hiester remarked in his final message (1822) that, judging future progress from what had been done, he believed that in a few years more "the whole will be finished." Alas! the building of highways partly by public aid was the prelude to the saddest of all chapters of intermingled public and private rascality in the history of the Commonwealth. Duane's jeremiad over the backwardness of the legislators to display any regard for the public welfare bore bitter fruit. Had that advocate lived to behold the ruin he with others had wrought, he would doubtless have deplored most deeply every favorable utterance on the subject. Whether in spending vast sums for this purpose during the next thirty-five years, under the guise of public improvements, the legislators were moved more by a regard for the public interests than their own, will soon be made known.

Thus far, however, there had been no corruption, no mismanagement. Some of the turnpike companies had not been able to raise as much money as they had expected, and the State, to render productive what it had expended, spent more. It is true that only small dividends had come from most of their enterprises, but individuals had subscribed far more largely than the State, and this was good evidence of the genuine character of most of these undertakings. Had the State stopped then, the loss in money and morals would not have been very great.

But Governor Hiester, like nearly every one of his time, was impressed with the great possibilities of State aid, especially in improving water communication. The connecting of the waters of Delaware and Chesapeake bays by a canal was a matter of "great State as well as national importance. The judicious expenditure of the money lately appropriated for the improvement

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of creeks and rivers and the facility and security thereby afforded to navigation, furnish strong inducements for persevering in the system." And this opinion of the Governor's was in harmony with the general opinion around him.

During Governor Hiester's administration there was an important advance in the methods of conducting business partnerships. From an early period some persons had been desirous of contributing capital for business purposes, but not of incurring the responsibility of a partner. So the relation was formed secretly, thereby relieving the contributor from liability unless he was found out; but if he was, then he could be compelled to pay like any other. To release him from this liability, and yet have the full benefit of his capital, limited partnerships were established by statute. Two important advantages, it was thought, would arise from the change. First, it would encourage moneyed individuals or capitalists to employ in some useful branch of industry a portion of their means, who, rather than hazard their whole estates, will live upon income, or resort to usury. Secondly, they would supersede the need of corporations for manufacturing purposes, the growth of which was regarded with apprehension. "The annual dividends of real or supposed profits, which the managers of incorporated companies are permitted to make, facilitate contrivances for an actual distribution of a portion of the capital, producing false notions of the future profitableness of the stock, creating a bubble, or an artificial and inflated price of the shares of stock, and enabling the cunning and fraudulent to grow rich at the expense of the ignorant and the innocent, and often consigning the latter to the almshouse, the hospital or the grave." By limited partnerships no delusion can be created by annual dividends, injudiciously or fraudulently declared by the managers, as the profits cannot be ascertained until the term of partnership is expired and all the debts are paid. Their growth fully justified their creation and mark a noteworthy advance in the legal methods of using capital within safe personal limitations.

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Another piece of legislation is worthy of note, relating to married women. By the old English law the real estate of a married woman and her right of dower could be sold and conveyed only by the peculiar process of "fine or recovery." It was difficult to adhere to this method of transferring it in the early days of Pennsylvania, and before long the practice was adopted of transferring her interest by the deeds of husband and wife. These were sometimes acknowledged before a judicial magistrate and sometimes merely executed in the presence of witnesses. Nor was the practice questioned until 1764, when the Supreme court declared that to disturb it after such a long practice would impair the security of titles and increase litigation. Six years afterward a statute was passed for transferring the estates of married women by making an acknowledgment on her part, apart from her husband, before a judge of a court of record, and validating all conveyances previously made. Afterward the law permitted other magistrates to take such acknowledgments. Notwithstanding these changes, many acknowledgments were made or indorsed very imperfectly. Another law, therefore, was passed, validating all bona fide acknowledgments and prescribing a form of acknowledgment to be used thereafter. This mode of transferring her interest was a radical departure from that prevailing in England and was just and rational.

Another subject worthy of attention was the attempt made at the session of 1825 to tax money loaned on bonds and mortgages. The committee who reported against the measure remarked that the tax could only be considered in the light of a property tax, and, as bonds and mortgages were not property in the full sense of the term, but merely evidences of a right to property, it could hardly be considered equitable to charge people for the property which they did not possess and which in many cases they might be absolutely unable to recover. All property taxes were, of course, *ad valorem*. The real value of a bond depended not altogether upon the amount for which it had been given, but on the

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credit and condition of the obligor and on the stipulations with which it might happen to be encumbered. The committee ventured also on the remark that "if a tax could be levied, in an unobjectionable manner, directly and virtually upon those holders of bonds and mortgages who yearly receive interest upon their



Chew House, Germantown

Home of Benjamin Chew. It was occupied by the British during the battle of Germantown and was damaged to a considerable extent. Still standing. Engraved for this work from a negative by J. F. Sachse

advances, it could hardly be obnoxious to the complainants of any class." These views prevailed for a time, but this conception of bonds and mortgages, obviously correct, was disregarded, and they were put into the drag net of taxation. They were, as the committee said, merely the evidences of property, the right to demand it, and, while the State might have the right to tax almost

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anything if it pleased, it surely was worse than absurd to tax these under the delusion that they were property themselves.

As no attempts had been made at impeachment for several years, it was quite time to strike at somebody. Findlay's administration had been free from such performances, but the time had come for impeaching three more judges for misdemeanors: Seth Chapman, Robert Porter and Walter Franklin. Elaborate articles were filed against them and they were tried and acquitted. Only one had been convicted of ten or eleven cases that had come before the Senate.

During Hiester's term one of the boldest and most interesting figures in Pennsylvania politics, Duane, gave up and went to South America. He was ambitious to serve as his party's leader in Pennsylvania, yet never was a man less fitted for such a peculiar place, for he was utterly lacking in the facile, adaptive, accommodating quality which is needful to harmonize men of varying interests and passions. Such a quality was still more needful to preserve the harmony and strength of a party, like his own, made up of men of varied motives and to whom no extraneous force could be applied. No political leader in the country set out in 1790 under fairer skies—editor of the leading newspaper, with a strong, incisive style, with Jefferson and the entire influence of the national administration to support him, yet in a few years he had greatly weakened his party, injured his newspaper, and wrecked himself. No politician of his time arose so quickly or fell to earth with less regret of those who watched his descent and departure.

CHAPTER XI.

SHULZE'S AND WOLF'S ADMINISTRATIONS—1823-1835

HIESTER was succeeded by another German Governor, John Andrew Shulze, of Lebanon county. Mr. Shulze was born July 19, 1775, in Tulpehocken township, Berks county, Pennsylvania. His father was a clergyman in the Lutheran church, and, appreciating the value of a classical education, placed the son in a preparatory school at York, after which he studied theology with his uncle, Dr. Kunze. Following the vocation of his father, young Shulze was, in 1796, ordained as a minister in the Lutheran church. For six years, he was pastor of several congregations in Berks county, but in 1802 he was compelled to abandon the ministry on account of ill-health. He then entered upon a business career in which he accumulated a small fortune. In 1806 he was elected to the legislature, serving three terms, and proving an active member, as the records show. In 1813 he declined the appointment of Surveyor-General of the State, but accepted the office of prothonotary of Lebanon county, holding that position eight years. In 1821 he was again elected to the legislature, and the following year he was chosen State Senator for Dauphin and Lebanon counties. The following year he was nominated for Governor and elected by a majority of twenty-five thousand over Andrew Gregg, who had been secretary of the Commonwealth during Hiester's administration.

During Governor Shulze's administration internal improvements became the most important subject of general interest.

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The two most important projects were the uniting of the waters of the Delaware and Chesapeake bays and those of the Schuylkill and Susquehanna. The American Philosophical Society, in 1769 and 1770, appointed committees to explore and survey the country between the Delaware and Chesapeake, and the legislature ordered a similar exploration not long afterward of the country between the Susquehanna and the Delaware. The enterprises seemed to be too large for that early day, too novel and difficult, while the coming on of the Revolutionary war delayed any movement looking to their beginning.

After the close of the war, when the people had resumed the ways of peace and recovered somewhat from its effects, the subject was revived and charters were procured for undertaking the improvements. They were at first defeated, partly through the want of public spirit among the capitalists of Pennsylvania, "but chiefly by the vile spirit of speculation." They were put before the public not long after the enormous speculations that had taken place in the public securities, in the stock of the United States, in the public lands of the national government. In the first two of these, princely fortunes were realized. It was believed that canal stock would rise in the same manner as other stocks had done, so there was a great struggle for an opportunity to subscribe. Consequently a large portion of the shares were taken by persons who never intended to pay for them, nor had they the means to do so if having the intention. Their object was to sell out immediately at whatever advance might take place. But there were no purchasers, and they forfeited the first installment they had paid. Attempts were made to enforce the payment of the others, but were soon abandoned. Thus failed the first attempt to raise the money to build these enterprises.

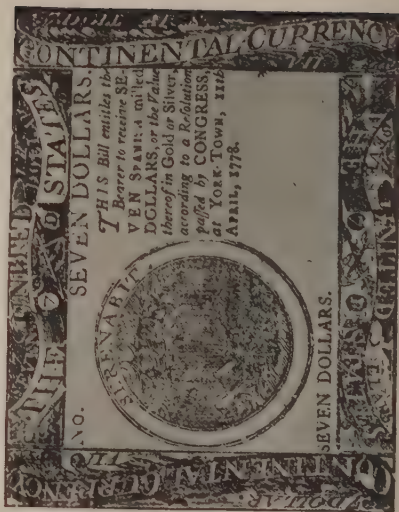
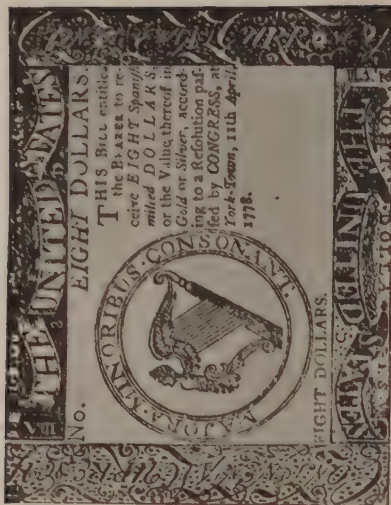
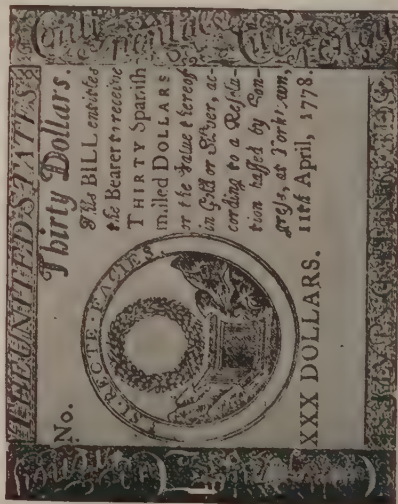
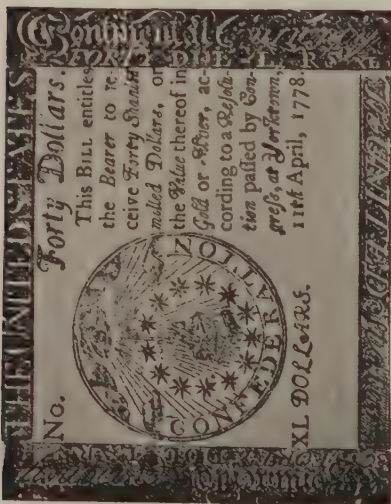
The companies were kept alive by Charles Paleski by convening meetings of the members and electing officers until 1821, when they were united under the title of the Union Canal company. After many delays the canal between Reading and Middle-

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town, seventy-one miles, was opened in May, 1827. Individuals subscribed \$425,000 for the Delaware and Chesapeake canal, the State of Pennsylvania \$100,000, a bonus was given by the Philadelphia bank for the renewal of its charter, Maryland \$50,000, and the United States \$450,000. The first spade was put into the earth April 15, 1824, and the canal was finished October 17, 1829. It cost \$2,201,864, or \$158,000 per mile; the original estimate was \$1,354,364.

The spirit for building canals spread and in 1824 a society was organized in Philadelphia for promoting internal improvements. Nearly fifty citizens gave \$100 apiece, and Mr. Strickland was employed to visit Europe and investigate the subject of railroads and canals and procure all the information respecting transportation, building of canals, etc., that could be obtained. To strengthen this spirit a canal convention was held at Harrisburg in 1825, of which B. Chace, jr., was one of the leaders. One hundred and thirteen persons assembled, representing forty-six counties. An address was made and resolutions in favor of internal improvements were adopted.

Nevertheless the opposition to the plan was strong, including some of the ablest men in the State. "It was confidently asserted that the measure was impracticable, that the resources of the State were inadequate for the purpose, that it would require an enormous and oppressive taxation, to which our citizens would not submit, that independent of these reasons, it would, if accomplished, be extremely partial in its operation, as its benefits would be confined to certain parts of the State, while large and important sections would be debarred from them, whereas the burdens would be borne by the whole." That sectional considerations were the motives that produced this opposition cannot be doubted. The representatives of those counties not likely to be immediately benefited strenuously opposed the measure with all the powers of eloquence. Among the opposition were found all the representatives of Bedford, Cumberland, Franklin, Lancaster, Northamp-



Specimens of Continental Currency, Obverse



Specimens of Continental Currency, Reverse

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ton, Tioga and York counties. Berks, Chester, Lebanon and Lehigh were divided.

It was resolved that "the improvement of the Commonwealth would be best promoted by opening complete communication from the Susquehanna to the Allegheny and Ohio, and from the Allegheny to Lake Erie by the nearest and best practicable route; that the application of the resources of the State to this undertaking ought not to be regarded as an expenditure, but as a most beneficial investment; for its successful execution will increase the public wealth, improve the revenue and greatly enlarge the ability of the State to extend her aid to every quarter where it may be wanted; and at the same time will encourage industry, create circulation, extend trade and commerce, enhance the value of land and of agricultural and mineral products, and thereby augment the means of the citizen to promote his own and the public welfare, by contributions to similar work." The sentiments expressed in the resolutions doubtless had the general approval of the people.

At the following session of the legislature, in 1826, a board of commissioners for internal improvements was established. The legislature authorized the commissioners to contract for a canal from Middletown extending up the river as far as the mouth of the Juniata, and from Pittsburg to the mouth of the Kiskiminitas, a navigable feeder of a canal from French creek to the summit level of Conneaut lake, and to survey and locate a canal from thence to Lake Erie. These enterprises were started with the modest appropriation of \$300,000, which was to be borrowed. The board made two contracts, one for twenty-two and one-half miles along the Susquehanna and twenty-four miles along the Allegheny. Thus the State at last had made the beginning. It caused no alarm, for at the next session the canals authorized were to be extended farther up the Susquehanna, the Juniata, and up the valley of the Kiskiminitas and the Conemaugh, another between Bristol and Easton, and still others of

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lesser importance were added to the number. The legislature grew bolder and appropriated this year \$1,000,000, a pretty large advance. But then, it was State money, no one was to pay immediately, and mankind have been cheated and deluded with the future from the beginning. The tolls would be sufficient, or other individuals and not those then living would pay the bills.

During Shulze's administration there was widespread discontent concerning the constitution. As the trial of it was prolonged the dissatisfaction increased. Duane's attempt to secure revision failed, but now another attempt to authorize the holding of a convention was made. Those who could not control the Governor wished to cut down his power, and thus leave more within their own possible grasp. This was the idea floating before Duane's vision in the day of his ascendancy. Other politicians since his time were disappointed with the small returns from nominating and electing governors. Something must be done to redress the balance and preserve the interest of the wire-pulling, scheming class. The consciousness of having put a good man in office was not enough; he must still continue to turn to his makers for assistance, otherwise their power to make others would be gone and they would sink to the common level. So, in 1825, the question was again submitted to the people. If favorably considered, the leading feature of the new constitution was to endow the people with more power; or, in other words, reserve more for the manipulation of their leaders. The people were not impressed with the need for a change, and by a large majority returned to the proposal a negative answer.

In 1826 Shulze was renominated and in the election received 72,000 votes, or within 1,000 of all the votes cast. Such unanimity was never known before or since. It was an era of good feeling; all had confidence in him, his fine character and intelligence. On the great question of the time—internal improvements—all then were nearly agreed. Canal building was going on rapidly, furnishing work and offices for large numbers. But

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in 1828 the State essayed a still costlier enterprise. It determined to engage in railroad building. The canal extending through the center of the State was to be connected by a railroad crossing the Alleghany mountains and with Philadelphia by a railroad extending to Columbia. Thus by railroad and canal a system of highly improved communication would extend from the Delaware to the Ohio.

In making these internal improvements, expenditures went on at an ever-increasing rate. With a modest appropriation of \$300,000 in 1820 the first loan was made, while the next year a second loan was made for \$1,000,000. In nine years the amount of loans had rolled up to \$8,286,000, besides \$1,398,790 of unpaid debts, and contracts calling for \$2,060,742 more. The expenditures were now so rapid that the credit of the State began to suffer. It had easily obtained large sums from the banks, for so long as there were no limitations on their issues of notes nothing was easier than to keep the printing press in operation. As the banks were eager to find customers for their notes, they strongly encouraged the work of the State. But expenditures grew so fast and inefficiency and corruption became so apparent, with no returns scarcely in the way of tolls, that the borrowing power of the State was impaired. Governor Shulze then convened the Assembly in November, shortly before retiring, and explained the situation. The funds had given out, the work was stopped and something must be done. Said Governor Shulze in January, 1830: "The situation of the contractors on the several divisions of the canal, and of those employed by them, was represented as being in the highest degree distressing; and immediate relief was indispensable, as well for the comfort of the individuals concerned as for the honor of the Commonwealth itself." But as he was soon to retire, he smoothed over the situation, leaving his successor to wrestle with the problem. The money borrowed by authority of a law passed that year would have been sufficient to have kept things going if the canal commissioners in their expenditures

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"had not greatly exceeded what had been usual or was expected." A loan had been attempted and failed. The Governor was puzzled to know why, when the canal stock of a neighboring State commanded a premium, that of this no less wealthy Commonwealth was in no demand and would not sell at par. Had the provision that the amount of the loan not subscribed for at a given time should be put up at public auction, and the fact that it had been put up and did not obtain even a bid, had any, and if any, what extent of influence on the credit of the State. Yet the Governor's confidence in the success and profitableness of these enterprises if they were only kept going did not wane. Nor was there any doubt of getting the needful funds on the most favorable terms, if the resources of the Commonwealth could be made to flow into the treasury in such abundance as to inspire perfect confidence in the lender that his interest would at all times be punctually paid at the time for that purpose regularly fixed. Of course not, but the Governor did not know from whence these resources were to come. The Governor did remark that it "would be unjust, as well as impolitic, not to acknowledge the friendly disposition of so many of our moneyed institutions in their efforts to obtain the sums wanted to enable the board of canal commissioners to prosecute the work entrusted to their care so successfully as to have now one hundred and seventy-seven miles of canal in actual operation." When we remember that the managers of most of these banks had acquired corporate existence for the purpose of lending their credit to the State, which had been created by the State, at a good rate of interest, it is difficult to perceive wherein any public obligation had been incurred by their action. The banks had indeed flourished in consequence of the public needs, but the credit of the State at all times was quite as good as that of these institutions, and it could as readily have borrowed the money elsewhere.

Governor Shulze's confidence in these enterprises had not in the least been destroyed by what had happened. He admitted that "it must be apparent to all that economy has rarely entered

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into the system of expenditure, but that prodigality and profusion had, on the contrary, been its distinguishing characteristics." Notwithstanding these conditions there was "every reason to be-



Charles Thomson

Schoolmaster; author; secretary Continental Congress, 1774-1789. Reproduced for this work from an old engraving

lieve" that by completing the work the wealth and prosperity of the State and of its citizens would eventually be greatly increased, and the members of the legislature thought the same way. Only go on with the improvements and in the end they

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would pay. There had "been no accountability on the part of those entrusted with the disbursement of the public funds ensuring a faithful application of them" to the proper objects, and the Governor recommended the adoption of some effective measures for guarding the treasury.

The construction of canals and railroads had overshadowed the more modest building of highways. Many had been built, as we have seen, with the money contributed by individuals and the State. But the funds in many cases had proved inadequate and debts had been created. Though of great value to the country, they had rarely proved profitable to their shareholders. The tolls had been diverted, by the urgent demands of creditors, from their legitimate object of keeping the roads in good condition. Governor Shulze submitted to the wisdom of the legislature "whether means could be devised by which the State might contribute, not only with justice, but advantage, something towards the relief of those who have employed their money or their labor in the construction of these roads, and who have been compelled to look in vain to the profit to be derived from them when completed for a recompense." In other words, the State having gone into the business of building canals and railroads for the people, why should it not take off the hands of the people those unprofitable road enterprises in which they had thoughtlessly embarked? Without question such a contribution might be made with advantage to them, though where or how the State could contribute by helping out one class and taking it from another, is difficult to understand. The loss might indeed by State action be distributed through taxation more equally, but would be quite as great.

Governor Shulze was followed by George Wolf, who was born in Northampton county on August 12, 1777. His father was a native of Germany, settling in Pennsylvania about the middle of the eighteenth century. George Wolf was educated in a classical school in Northampton county presided over by Robert Andrews, a graduate of Trinity college, Dublin. Leaving school,

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Wolf became a teacher, and soon began to study law. Entering politics, he followed the principles of Jefferson. He was appointed postmaster of Easton in Jefferson's administration; afterward he was made clerk of the Orphan's court of Northampton county, which position he held until 1809. In 1814, he was elected to the lower House of the legislature, while in 1824 his district sent him to Congress by a large majority. He was a member of Congress for three terms, and developed great abilities in debate and in committee work.

In 1829, Mr. Wolf was nominated as a candidate for Governor and was elected by a large majority. He sacrificed a valuable law practice in Northampton county when he became chief magistrate of the State, and was inaugurated only to be confronted with many serious problems. Vast schemes of internal improvement had been projected; the State was burdened with an immense debt and the revenues were not equal to the demands upon the treasury. Besides these problems, Wolf's administration was to be rendered memorable by the great agitation of a popular system of education.

Mr. Wolf on becoming Governor plainly told the people that the true way to improve the credit of the State was to establish a system of taxation for paying the interest on the State loan. Hitherto not a word of this kind had been uttered; bonds, mortgages, judgments and other evidences of debt, certificates of stock, and even money had never yet been taxed in Pennsylvania, and Governor Wolf asserted that the time had come for imposing a light tax on them. Articles of luxury that could not be regarded as necessities were also proper subjects of taxation. He also suggested a tax on State loans and another on coal.

In his message at the close of 1835 the Governor remarked that the system of public works in which the State had been engaged for eight years had been so far completed as to admit of transportation throughout the State, except the second track of railroad over the Alleghany mountains, which was nearly finished.

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The State now had seven hundred and twenty miles in actual or prospective operation. Of this amount six hundred and one miles consisted of canals and slack-water navigation and one hundred and nineteen miles of railways. The entire cost was estimated at \$22,114,915. The Governor's glowing words are now reproduced for the sake of what is to be told hereafter: "Upon most of the loans negotiated for the construction of the public works the State received premiums to an amount, in the main, sufficient in connection with the other revenues set apart for that purpose, to meet the payment of interest upon the whole amount of the State debt at the respective periods when the same became due. The increase of tolls upon the public works will, it is not doubted, supply the place of premiums hereafter; and it is confidently believed that the people of no State in the Union, in which public works have been constructed at the public expense, have been less burdened with the payment of taxes in proportion to the extent and magnitude of the respective improvements than the people of this State have been. And such are the flattering prospects in regard to the future revenues which the Pennsylvania canals and railways will produce that it is more than probable that after the 25th of March, 1836, taxation for these objects will not be required."

The tolls for the year ending November 1, 1834, on all the public improvements were \$323,535.08. The estimate had been half a million. A lack of boats, drought and other causes had contributed to produce the result. "A recurrence of such unpropitious circumstances" he was sure could not happen hereafter.

As soon as the people and the banks began to recover from the paralysis into which they had been thrown by the excessive issue of paper money in 1812, they began to petition for more charters, hence these institutions during Shulze's and Wolf's time multiplied with marvelous rapidity. They usually offered a bonus to the State for their charters and the legislature did a thriving business in granting them.

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Many of these institutions were created as pure speculations. The stock usually rose in value very considerably after it was first issued and many therefore were organized to make money from the first sale of the stock. To accomplish the end it was needful for the organizers to be the first holders of as much stock as possible, and various methods were adopted to compass this end. Various regulations were adopted from time to time by the legislature, one of which required that the scrip to be given for the stock should be sold and delivered through the window of a specified building, that a proper time should be allowed for disposing of the whole, that if customers were not found for all in that time then the commissioners should divide the remaining shares among themselves. A window was accordingly made in the building, about ten feet from the ground, then the shutters were closed and a hole was cut in one about six inches square, through which the money was to be paid for the scrip. If a person wanted stock he went to the place with two or three friends, tall, powerful friends, who could fight as well as reach up to the window. "You must all be dressed," says a witness, "or rather undressed, for the occasion; a pair of very thin trousers, for those in active service, being the uniform; the exertions required, and the thermometer, perhaps at a hundred degrees, making any further attire not only superfluous, but an impediment. If, in three days' attack, during which the stock could be taken, you should be so far victorious as to get up to the wall under the window, you will have effected that which hundreds cannot effect, though they may be beaten black and blue and lose their trousers in the attempt. But we will suppose you and your friends have so far succeeded and are actually under the window, subject, of course, to an instantaneous removal, as all are now contending against you there. You will be punched and jostled very severely; all of which you must disregard and proceed to be hoisted, or to hoist one of your friends, up to the hole in the shutter—full already with two or three hands that have held by the frame, and



Wyoming Massacre Monument

Erected between Wilkes-Barre and Pittston in memory of those who fell July 3, 1778. Engraved especially for this work from a negative by Kau

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suspended as many bodies for perhaps an hour. If it be you that is hoisted you are now in a most favorable position, because, when one of them falls, from exhaustion, you can clap your hand in the place from which his is removed and thus support your own weight till your strength is fairly gone, in the event of your friends whose heads you stand upon, being driven from under you. You will have to fall at last, and most likely without obtaining the scrip; but you can console yourself by reflecting that yours is a case common to nine out of ten that have gained the same happy and advantageous position, and indeed to all that have not the ring, the ribbon, or countersign, without which, to get stock, none but the stranger thinks of making an attempt. I have seen all this, and more, over and over again. I have seen Philadelphia merchants perform this; I have seen men taken off the ground for dead; I have seen them entirely naked; and I have seen them in other respects in a state too shameful to be described."¹

When the Girard bank was incorporated one hundred and fifty-three commissioners were appointed by the legislature to dispose of the stock. Each of these commissioners was permitted by the act to take five shares on the first day, ten on the second, and fifty on the third, and after that they were allowed to take the balance of shares that might remain unsold. The number of shares to be sold was 30,000. "These," said the "Inquirer," "if a proper course of conduct had been pursued, might have all been disposed of during the first day, but, on the contrary, little more than a thousand shares were sold, it being the interest of the commissioners to protect the sale until after the three days. It is said, moreover, that certain of the commissioners avoided disposing of the shares to those who had forced their way to the window, having entered into contracts with relatives and friends to share the profits of the stock. Hence they reached over the hands and heads of others, in order to take the money from those with whom they had made bargains and whose

¹Brothers, U. S. of America, 53, 54

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hands they recognized by wearing rings, white strings tied round their fingers, and other marks of designation.

"In order to obtain a large portion of the stock a few persons—three or four—engaged fifty or sixty muscular men, who stripped themselves of their best apparel, and substituted other in its place suitable to a riot; they then formed themselves into a cordon, and surrounded the three windows at which the stock was to be taken, and by noise, bustle, blows and confusion, prevented peaceable citizens from obtaining shares."¹

The mode of disposing of the stock excited general indignation, and a town meeting was held at which the commissioners were denounced for their course. Colonel John Swift described the mode of getting the charter, the appointment of so many commissioners, and their mode of procedure. He declared that all the shares might have been disposed of in a single day, that the commissioners evidently sought to protect the sale for self-advantage, and that they had made bargains with their friends outside, whom they recognized by concerted badges, rings, etc. The meeting resolved: "That the open and palpable system of bargain and sale, the utter disregard of the people's rights, the scenes of riot, confusion and disorder which have sprung from and characterized the proceedings of the commissioners, are sources of sincere regret and humiliation, and call loudly for such expression of public opinion as shall not only bring home to the authors of this disgrace the odium which they merit, but shall redeem the character and redress the wrongs of an insulted and injured community."

The taking of the stock of the Western bank in 1832 was of the same disgraceful character. On the last day assigned by the legislature for subscribing, as fifty shares might be taken by each person, the struggle and excitement to get them were great. A spectator says: "It is impossible, without rendering ourselves liable to the charge of exaggeration, to give an adequate idea of

¹Brothers, U. S. and Inquirer, 54, 55

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the disgraceful and inhuman proceedings. There were probably 5,000 spectators, many of them, however, interested in the struggle that was going on among those who were attempting to force their way to the window and obtain scrip. These latter, about 300, were for the most part stout and athletic men, a large proportion of them stripped of every vestment but their pantaloons and shoes, and many of them distinguished by black eyes, bruised limbs and gashed faces, sad indications of their struggles for stock."

The building from which the stock was dispensed was a four story brick house. All its windows were closed, and over the one through which the stock was delivered boards were nailed, through which was a solitary aperture sufficiently large to admit two hands at one time. Around this window was a solid phalanx of men wedged together as compactly as living beings could be wedged, some of them writhing and struggling to reach the aperture, others fainting, shrieking with pain and beseeching a passage outward in order to save their lives. Many were dragged out like dead bodies, after ropes had been attached to their limbs. Not one-fifth of those who reached the windows were able to remain there a sufficient length of time for the commissioners to take their money and hand them their certificates; and some who had accomplished their object were so weakened and exhausted by the effort that their certificates fell from their nerveless hands before they could effect their escape.¹

Bank charters were chiefly valuable by reason of the large prospective profits from issuing notes. Notwithstanding the bitter lessons learned by the public from bank failures, public faith in them was usually restored quickly and then their notes again began to move around the circle. The profits from the business were great, arising first from the payment of interest on loans, secondly from the loss of notes by wear in possession of outside holders. When signatures were much worn the

¹Brothers, 56

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issuers refused to redeem them, and a large quantity was never paid. Again, the banks adopted an easy method of paying for their stock. They discounted the notes of their own stockholders in payment. Thus the Girard bank in 1836 resolved that the stock may be paid up in full at the time it is taken, or at any time hereafter; and, for the greater convenience of the stockholders, the bank will discount the notes of such as may desire it for forty dollars per share, on a hypothecation of the stock, at sixty days date, and renew the same for sixty days, from time to time, on payment of five dollars per share at each renewal, until the whole shall be paid. With such an easy method of paying for stock and such great profits in the business, does any one wonder why banks formed so rapidly and why so many wished to become shareholders? A bank might organize without the payment of a dollar of capital; in truth, the principal source of profit was from the issue of notes.

At this period, too, charters for railroads were granted. They contained two features that are worthy of notice. The State could become the owner after twenty years, and individuals under regulations that were prescribed could send their own cars over them. They were simply another kind of highway, though somewhat restricted in their use in consequence of their different nature. The idea of State ownership was clearly embodied and intended; individuals could build, but as soon as the State had the means it might become the owner, and thus fit them into that great system of transportation in which it had so boldly embarked. Charters, too, were desired for manufacturing enterprises and were now freely granted. The extent to which this was carried excited no little alarm. In Governor Wolf's message for 1834 he uttered some strong sentiments. He declared that corporations ought to be restricted to such enterprises as were incontestibly of public utility, for which individual capital and credit would be inadequate. He thought that the privilege of voting by proxy at their meetings ought to be withheld and that in

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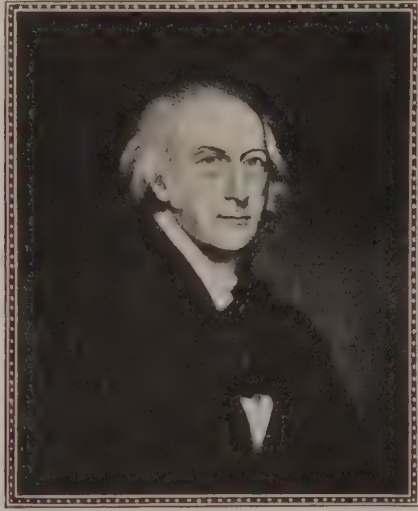
general they were a deviation from "republican simplicity," and an encroachment on the liberties of the people. "By multiplying these formidable, irresponsible public bodies we shall, in the process of time, raise up within the Commonwealth an aristocratic combination of powers which will dictate its own laws and put at defiance the government and the people. These observations have been suggested by a knowledge of the fact that a morbid, restless solicitude to produce a state of incautious legislation, tending to precipitate a system of legalized speculation upon the people of this Commonwealth has, for some time past, but too conspicuously manifested itself in our legislative halls, in the shape of applications for the incorporation of monopolies of various descriptions. A depraved, unsound spirit, evincing a vitiated anxiety for the establishment of banking institutions and other corporations possessing exclusive privileges, seems to have marked the era in which we live as one peculiarly distinguished for its inveterate oppugnancy to the tardy but certain method of securing competency and independence pursued by the men of other days, as well as for its peculiar predilection in favor of some shorter and less difficult path by which to arrive at wealth and power."

The governor truthfully saw "that an increase of banks would add nothing to the actual capital of the country," but "would contribute largely to increase the already too redundant supply of bank paper." He strongly favored the withdrawal of all notes below ten dollars. Such a measure would increase the circulation of specie and give the people a sounder circulating medium. He also proposed other restrictions on their circulation and discounts, and that a portion of their dividends above a prescribed figure should be paid into the State treasury as an annual equivalent for the privileges conferred, to be applied to the education fund, or some such other beneficial public purpose.

The internal improvement scheme with all its appendages was a mighty force in feeding the fever of speculation and in

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diverting thousands from honest, legitimate ways of making a living. Thus the State led a vast number into an unhealthy, unknown wilderness with the false hope that they were to grow rich



George Clymer

First Continental treasurer, 1775; congressman, 1776-1777; also 1780; with John Nixon deputized to organize Bank of North America; member of Federal Constitutional convention; congressman, 1788; collector of tax on spirits during whiskey riots, 1791; president Academy of the Fine Arts

without work, to thrive without cost. Another scheme, quite in harmony with the idea that the State was ready to assist everybody and everything, was the guarantee of the payment of interest on the capital employed by companies incorporated for some

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alleged object of improvement, in which the State had no direct or immediate interest, thus placing it in the attitude of an underwriter issuing to the corporators an interest of five per cent. upon the capital invested in a project which, when completed, might never yield three, or even one per cent. Against this Governor Wolf declaimed in strongest terms. After describing the consequences of this course, which would operate "like a canker upon the public purse," he added: "In the legislative body alone resides the power to restrict and control that insatiable thirst for monopolies and chartered privileges, that morbid spirit of speculation which would make the State stand sponsor for every abortive scheme in which corporations may choose to embark."

If the State was plunging downward at a fearful rate in its populist experiments, and the rush to follow and reap the largest individual gain was marked with an utter shamelessness of the general welfare, of State pride and decency, the growth of the common law and its administration were solid steps upward to firmer ground. The judiciary, so Governor Wolf remarked in his message in 1835, was efficient, safe and entirely adequate to a prompt and vigorous administration of the law. Complaints of its delay were no longer heard. The judges were generally able and industrious, sound jurists, and their decisions commanded the respect and confidence of the public. The people had at last learned that the common law was not a phantom, not a mask to cover arbitrary decisions of judges, but a body of real law, the experience of many minds and ages. Besides, for many years, the decisions of the Supreme Court had been reported and published, and were now embodied in several volumes. The people had learned that the judges had respect for these decisions, that they furnished safe rules to apply in similar circumstances. It is true that society is slowly changing, and so the grass is slowly growing over many of these precedents, which cannot be regarded as living law, but rather as tombs in which the wisdom and life of the past lie safely buried. But over this body of law, living

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and dead, respect had accumulated—respect for the living law because it was a code of wisdom applicable to most of the transactions of daily life; respect also for the law that had no longer any vitality, as a memorial of the past, of the changefulness of society, of the impossibility of ever forming rules endowed with perpetuity. Thus the people had come to have a respect for the law and its administration, which is one of the indispensable conditions of human progress.

Governor Wolf strongly defended the proclamation of President Jackson against nullification in South Carolina. He was not, however, a blind admirer of the President, for when Jackson began his crusade against the United States bank, Governor Wolf labored for the renewal of its charter. This action caused some opposition to the Governor in his campaign for a second term; but he was triumphantly re-elected in 1832 and thus entered upon the greatest work of his public career—the establishing of a popular system of education. As early as 1831, in his annual message to the legislature, he had spoken in favor of a general system of public schools free to all. In the session of the legislature in that year the lower House adopted a resolution for the appointment of three commissioners whose duty it should be to collect information on the subject. The Senate defeated this measure, however, but the agitation began anew immediately after the re-election of the Governor. The cause of popular education gained new friends, and various reports were made to the legislature, giving valuable information on the subject. The legislative session of 1833-34 opened with bright prospects for the cause. The Governor's message was devoted to an earnest discussion of universal education. Among other things, he said: "It is time, fellow citizens, that the character of our State should be redeemed from the state of supineness and indifference under which its most important interest, the education of its citizens, has so long been languishing, and that a system should be arranged that would ensure not only an adequate number of schools

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to be established throughout the State, but would extend its provisions so as to secure the education and instruction of a competent number of active, intelligent teachers, who will not only be prepared, but well qualified, to take upon themselves the government of the schools and to communicate instruction to the scholars." The legislature followed the Governor's suggestions and a "joint committee on education of the two houses" was appointed "for the purpose of digesting a general system of education." Senator Breck, of Philadelphia, was made chairman of this committee. His selection was a fortunate one. He was a man of public spirit and fine abilities, and had gone to the legislature for the purpose of laboring in behalf of education, which labor he regarded as the highest public honor.

Mr. Breck's committee finally reported a bill providing for a general system of public education, which was adopted by a practically unanimous vote of the legislature. It was approved by the Governor on April 1, 1834. The details of this school law are so admirably treated in Wickersham's *History of Education in Pennsylvania* that the writer will not enter here upon that phase of the subject. The struggle to maintain the schools just established invites the attention of the historian, and this will be the chief theme of the last year of Wolf's administration.

The school system, adopted with comparative unanimity, was at once attacked by a storm of opposition, especially in the central and southeastern portions of the State. This opposition arose from several sources. The early settlers of Pennsylvania belonged to various religious sects; and in the course of time hundreds of schools were established in connection with the churches. Many of these denominational schools were in a thriving condition, and it was feared that the new educational system would finally destroy them, and that all instruction would become secular in character. Hence the German sects opposed the free schools from the purest of motives. They feared, likewise, that their language would be displaced; therefore, they felt it their duty to

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defend the mother tongue. Wickersham claims that considerable opposition to the new law came from the aristocratic families in the State, who had no sympathies with the democratic conditions of American life; while the bitterest enemies were the ignorant and narrow-minded, who appealed to the most sordid motives to defeat popular education.



LaFayette's Headquarters, Valley Forge Encampment, 1777-1778

Engraved for this work from a negative by
D. E. Brinton

The opposition was well crystallized when the legislature convened in the fall of 1834. Governor Wolf's message was firm and defended the new law in the most positive terms. The legislature was flooded with petitions for the repeal of the measure, and on March 19, 1835, the Senate passed a supplementary act entitled "An act making provision for the education of the poor gratis, and to repeal the act of the first day of April, 1834." April 11 was the historic day when the school bill with its amendments came up in the House of Representatives. The general

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impression prevailed that it was useless to oppose the repeal, but as Samuel Breck had much to do in founding the free schools, Thaddeus Stevens appeared at the crisis and defended the schools when threatened with destruction.

Stevens moved to strike out all the senate bill after the enacting clause, and substitute for it a bill strengthening the law. Upon this motion he delivered the memorable speech which will always rank with the great masterpieces of oratory. As a parliamentary effort, it is all the more remarkable from the fact that the majority of the House of Representatives were opposed to the free school law. The speech of Stevens swayed that opposition, and his substitute motion was adopted by a vote of fifty-five to thirty.

Thus popular education in Pennsylvania was saved; but Governor Wolf, who had advocated it so strenuously, was defeated for a third term. Retiring from the gubernatorial chair, he was appointed by President Jackson, in 1836, to the office of first comptroller of the treasury. After holding this position two years, he was appointed by President Van Buren to the collectorship of the port of Philadelphia, which he held until his death on March 11, 1840.

CHAPTER XII.

RITNER'S ADMINISTRATION—1835-1839

THE defeat of Governor Wolf was accomplished by a number of causes combined. It is true, his advocacy of free schools had rendered him unpopular; but issues over which he had no control whatever were involved in the campaign. The anti-Masonic sentiment in Pennsylvania was at that time a powerful factor in politics. In addition to this disturbing element, there was the swarm of hungry office-seekers who were harassing the Governor for positions. Some of the best paying offices had been held by the same parties for a long time, and the Governor was earnestly besought to turn them out. To all these he gave a deaf ear. Whatever may have been his reasons for thus acting, they did not satisfy hungry and disappointed applicants. They had labored faithfully for him, expecting a reward, and it had not come; this they knew, and this was enough. That others who held the offices had labored quite as faithfully was no affair of theirs. The offices should be changel, all should have a chance—this was their belief. The number of the disappointed was large. The only thing left for them was to labor against Wolf's renomination. To this end they bent themselves, everywhere proclaiming that two terms were enough. The friends of Governor Wolf beheld the approaching storm. His renomination would be no easy matter, his re-election still more difficult. The Democratic convention met at Harrisburg on the 4th of March, 1835. Many of the counties had chosen two sets of delegates. Three days

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were spent in disputing and on the 6th the convention voted by fifty-two to forty-one to adjourn to meet at Lewistown on the 6th of May. The friends of Wolf voted against the resolution, and on March 7 renominated him for a third term.

On the 6th of May the Lewistown convention met and nominated Henry A. Muhlenberg, and also passed a resolution in favor of Van Buren for president. In the meantime, the Whig and anti-Masonic parties nominated Joseph Ritner; so three candidates were now in the field. The split in the Democratic party seemed to be hopeless, and many efforts were made to induce Wolf and Muhlenberg to withdraw; for all could see clearly that unless they did unite defeat would be inevitable. Of course, the friends of Ritner were jubilant. For six years they had been fighting, and though the principle inscribed on their banner, if containing some virtue, did not have enough to keep men long united. But it had united them thus far, and, stimulated by the division of their enemies, they went into the contest with renewed heart. Doubtless there were many leaders who saw the situation more clearly even than outsiders, but could do nothing. They could simply let the ship drive before the storm and be grounded, believing that then all on board would go to work with a new heart to put her afloat once more, and having learned the lesson, would remember it for a season.

The condition of the office-holding class is worthy of notice. Devoted to Wolf so long as he was devoted to them, believing that his political death was near, they deserted him and put forth every effort to elect Ritner. By this course they hoped to retain their places, while illustrating, as they certainly did, their regard for their chief and loyalty to their party. The cohesive power of the party lost its virtue, and the gray-grown veteran managers looked on in disgusted despair.

The result, therefore, was inevitable. Ritner received 94,023 votes, Wolf 65,801, and Muhlenberg 40,586. Thus the party which, with the single exception of Hiester's three years of office,

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had been in control thirty-three years, was obliged to retire. It is true that it was not to remain out long, but the defeat was bitter because it had been caused largely by selfish division. No party can permanently maintain itself on this basis, no government, no people. Something of the element of disinterestedness must exist, some regard for others, some patriotism, some self-sacrifice, otherwise the dissonance will untimately jar the structure to pieces. This is the history of every government and every party in the world. Again had the old lesson been told for the more thoughtful to remember. The vote cast showed if the Democrats



Signature of Colonel Zebulon Butler, of the Revolutionary army

had been united their candidate would have been elected, as the combined votes of Wolf and Muhlenberg exceeded Ritner's by 12,364.

The split extended to many members of the legislature, and the anti-Masons and Whigs elected seventy-one members of the House. Six of the eight Senators elected were of the same political belief, but the Democrats had enough holding over to give them a majority of nine. The opposition, therefore had a large majority on joint ballot, but there was nothing to do that session requiring joint action of the two Houses. The Senate was organized by a combination of the victorious party and the Muhlenbergs, effected by a division of the spoils, and were able to cast nineteen votes. The friends of Wolf were very indignant over such shameful conduct of their late party friends, but there is no reason for supposing that their own virtue was of a superior durable quality, and would not have yielded as readily to the seductive power of public office and personal gain. Doubtless they felt the slight of Ritner's party in not attempting to unite

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with them, for notwithstanding their severe castigation of him and all his works, they were doubtless quite as ready to unite on such a solid basis as actual office, salary and incidentals, and fill them and extract all the profits in sight or that might with diligence be discovered, as the members of any other party. Their indignation, therefore, was not especially noteworthy; for their union three years afterward shows that, after all, it was merely a ripple on the surface and not a ground swell coming from afar and heard long after breaking on the shore.

At this point in our narrative the newly-elected Governor, Joseph Ritner, deserves some personal notice. His father, John Ritner, emigrated from Alsace in the eighteenth century and settled in Berks county, Pennsylvania. Here Joseph Ritner was born on March 25, 1780. His only school advantages were limited to one term of six months. Most of his early life was spent upon his father's farm, and at the age of sixteen he removed to Cumberland county. In 1800 he married Susan Alter of Cumberland county. A few years later he settled with his family upon the farm of his wife's uncle, David Alter, in Washington county. Mr. Alter owned a valuable library and to Mr. Ritner this was a rare mine of wealth. By means of this collection of books, he removed many of the defects of his early education. His abilities were soon recognized, and in 1820 he was elected to the legislature from Washington county, in which body he served for six years.

Mr. Ritner led the anti-Masonic forces in his section of the State and in 1829 that party nominated him for Governor. He received a respectable vote, but was defeated. He was a candidate again in 1832, and, although defeated, made considerable gain over his former vote. His election in 1835 gives evidence of great popularity as a party leader.

The meeting of the legislature under the new administration was attended with many interesting problems. Soon after the organization of the Senate, the question of continuing and com-

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pleting the internal improvements was considered. Governor Wolf, in his final message, after describing the completion of the original scheme, cut out a large quantity of improvements. These were a canal from western Pennsylvania to Lake Erie, the extension of the canal up the Susquehanna to the Elmira canal and Ithaca railroad, and a third from some place on the west branch of the Susquehanna to connect with the French creek division and to the harbor of Lake Erie. The legislature that assembled in December, 1835, took very kindly to Governor Wolf's recommendations, though the majority of the House differed with him politically. Early in the session a bill was presented having three distinct objects: the first, to repeal the State tax on real and personal property; the second, to continue and extend the improvements of the State by railroads and canals, and the third, to charter a State bank. The capital was to be \$35,000,000 and for the charter a bonus of \$3,000,000 was to be paid; a permanent loan to the State of \$6,000,000 at four per cent. interest was to be made, and other loans when required at the rate of \$1,000,000 annually. The money was to be spent in completing the railroads, canals, turnpike roads and providing for a general system of education.

This measure created intense interest and excitement. Jackson was now urging war on the United States bank. The State had favored internal improvements and had issued bank charters and thus fostered the speculative spirit. It is true that Governor Wolf had vigorously denounced speculation and incorporation in general and banks in particular; but the legislature was Democratic in both branches and had granted numerous charters. He and others like himself, thoughtful and observing men, knew that a day of reckoning was not far off. Petitions for and against the bank were sent to the legislature and meetings were held in all parts of the State. The bank tried to manufacture sentiment in its favor and the opponents strived to end its work. The Democrats to some extent sought to array their party against

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the bank, but the influence in its favor was so strong that they did not make much headway.

The measure passed the House by a large majority. The entire Ritner-Muhlenberg party, except three, and many Democrats voted for it. It was thought that the members who represented strong Democratic counties would oppose the bill, if for no other reason than to make capital for themselves, as it was evident that all who voted for the bill immolated themselves upon the altar of party fealty. The capital was filled with adroit and skillful advocates of the bank, who understood the science of influencing members quite as well as the modern experts, and they succeeded in inducing members to vote for the bill against their better judgment, under the plea that the bonus given to the State was so liberal that it would become immensely popular with the masses, just as soon as the matter was properly understood, and secure a succession to the party then in power.

The admonition of the mass of the Democrats to the leaders of their party was, "Look to the Senate." Looking to that body, however, had not the desired effect, for it soon became evident that the friends of the bank were wielding a potent charm on that body. On the 15th of February, 1836, the bank bill passed in the Senate finally, by a vote of twenty yeas to twelve nays. Eight Democrats voted in its favor and among these were some of the most prominent members.

Their desertion of orthodox Democratic principles met with the severest condemnation, their motives were impugned and by some they were openly denounced as bank-bought traitors. To sustain this assertion the Democratic papers republished ferocious anti-bank speeches made by two of them, Penrose and Dickey, and called attention to the fact that another, Cunningham of Mercer, had presided at the Democratic State convention on the 8th of January, only a little more than a month before, while Fore, Penrose, Irvin and Dickey had also been delegates to the convention and all of them voted in favor of strong reso-

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lutions denouncing any attempt to give a charter to the United States bank. None of them, except Penrose, ever went before the people for office again, and he only after a lapse of seventeen years and then as a member of the opposition party. Neither did any of them, in their obscurity, after they retired from office, ever act again with the Democrats.

Soon after the assembling of the members, December 19, 1835, a committee, on motion of Thaddeus Stevens, was appointed "to investigate the evils of Free Masonry," with power to send for persons and papers. Many spectators attended the meetings, expecting to hear extraordinary revelations, while others went to witness the culmination of what they regarded as an "unholy inquisition." Many of the most prominent men in the State were summoned to appear and testify, among others ex-Governor Wolf, Francis R. Shunk, Chief Justice Gibson. On the 12th of January, 1836, Mr. Stevens reported to the house that the committee had summoned Governor Wolf, John Neilson and Charles Shaler to appear before them, and that they had denied the right of the committee or the House to serve and enforce such process on them and consequently refused to appear. The "insult" was not to be borne, so Mr. Stevens said, and he moved that attachments be issued to compel the attendance of Governor Wolf and other delinquent witnesses. For two days this motion was earnestly discussed. It was finally adopted by fifty-nine yeas and twenty-nine nays. An attachment was issued against Governor Wolf, who appeared before the committee, but declined to be sworn and read his protest. Attachments against others were issued and they all refused to answer or be sworn, threw themselves upon the "bill of rights" and protested against the right of the House to investigate Free Masonry. The most eloquent and cutting of these protests was made by the Rev. W. T. Sprole. Francis R. Shunk appeared before the committee on the 13th of January and read his protest, which was a powerful, scathing document. The excitement was now at fever heat. When the

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old man had finished, the applause from the crowded room was long and loud. Stevens, enraged over it, gave notice that if there was another display of it the authors would be arrested. The investigation continued for nearly a month and ended in nothing. The man whom the committee tried to impale would not testify;



Occupied by the Continental Congress, 1777-1778. Reproduced especially for this work from a rare old print

those who did were pretended renouncers of Masonry. Concerning the real motive of Stevens public opinion was divided.

Stevens feared nothing; that was his motive, and he would have resorted to strong measures to compel witnesses to testify if he had not seen that the tide of public opinion was beginning to set in against the inquiry. The Whigs of Philadelphia, a strong element in the opposition ranks, threatened secession. To preserve appearances a lengthy report was submitted and adopted.

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The legislature closed with fixing a time for electing delegates to amend the constitution, and apportioning the State into legislative and senatorial districts. The latter act was manifestly unfair, a gerrymander which gave the Democrats great offense, since it involved their success in both branches of the legislature in 1836-37 in considerable doubt. The basis of representation was three thousand, and the bill gave the city, which was now in opposition with 18,449 taxables, seven representatives, and the county, which was Democratic, with 31,398 taxables, only eight representatives; while the former should have six and the latter ten.

When Ritner was chosen Governor it was a period of great speculation and adventure. President Jackson had been waging war on the United States bank and had succeeded in effecting the removal of the national deposits; and every one knew that he was intent on destroying the institution. President Biddle had kept it out of politics and that was too much for Jackson. Had Biddle yielded and the President filled up its offices with his followers he would have been content and suffered it to live. The institution did, indeed, procure a new charter from the State, but it was not the same bank; its national deposits were gone, which had been a great source of profit. Their removal caused a terrible shock to trade, but this was not the worst. New banking enterprises were organized everywhere, which sought to be incorporated. The Girard bank desired an extension of capital, and its charter was amended by the Assembly. Governor Ritner, however, smote it down with a veto, in which he mixed up some most wholesome truths with some strangely misleading fancies and erroneous predictions. "All changes," he said, "in the circulating medium, no matter how wisely planned or what amount of good may be expected to flow from them, are in themselves as changes dangerous, and if possible to be avoided. To the man in really useful and active business, who regards money as the means, not the subject of trade; to the capitalist whose whole fortune is invested in such a manner as to yield its annual profits to himself and afford facili-

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ties to his more active but needy neighbor; to the poor man whose whole riches, his weekly or monthly pay, are comprised in a certain amount of the most usual and convenient currency; to these, every change of a currency, depending as it necessarily must on mutual credit and confidence, is a matter fraught with inconvenience and danger. But to the vampires of the body politic, to those who reduce the healthy circulation of the system to a state of torpid stagnation, or drug it into fevered excitement, that they may fatten on the heart's blood of the public prosperity; to the stock-jobber, the usurer, the shaver and the legal extortioner, changes in the currency are at all times welcome, and are by them ever promoted."

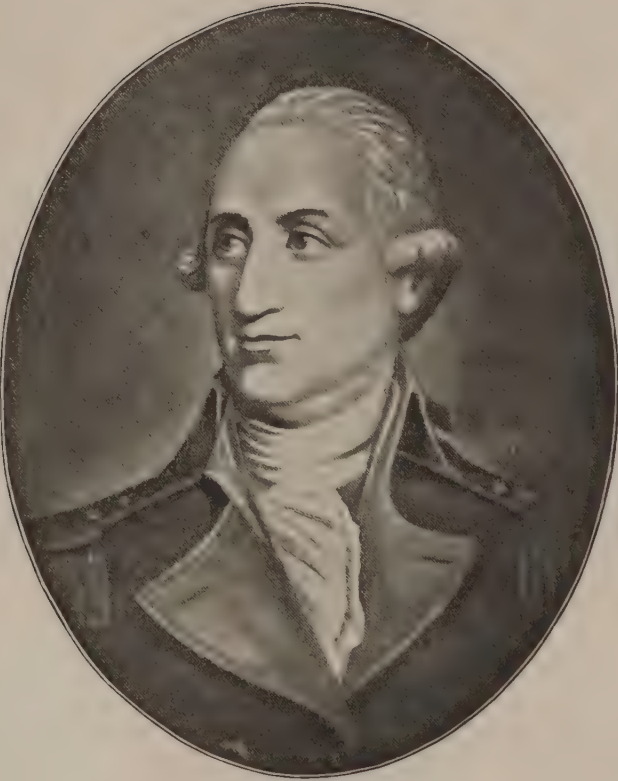
Though declining to extend the charter of that bank, he had signed the charter for the United States bank, justifying himself that by so doing he would preserve the circulation and less seriously disturb the finances and business of the country. Had its life not been continued as a State institution the government would have been obliged, so Governor Ritner thought, to charter other banks, to sustain the agricultural, commercial, manufacturing and mining interests of the State. He then proceeded to describe what would have been the consequences of doing so, and these are curious indeed in view of what did actually happen. "The amount would most probably have been distributed amongst a considerable number of small banks in different parts of the State. The stock of those banks, by the numberless arts whose true character none but those who practice them can fully comprehend, would have risen far above par or even real value. In the unholy thirst for profit from the mere act of creating paper-money, the real object of its creation, viz.: public convenience and safety, would have been entirely forgotten. A few fortunes would have been realized to the ruin of thousands. The banks themselves, when in operation, all commencing in the midst of this confusion, greatly increased by the winding up of the United States bank, many of them under inexperienced direction and all anxious for business, would, as a

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matter of course, force into circulation the whole amount of their notes at once and without delay. To accomplish this in the midst of the existing rivalry, security which in ordinary times would have been refused would be taken. Money would at once become plenty, speculation increase, property rise in value and contracts for the future payment of sums be made, in the hope that no cloud would ever overshadow the golden prospect. All would appear to be well. But in the midst of this agreeable delusion, and the very next moment after the banks had infused the whole of their 'trash' into the vitals of the Commonwealth, they would inevitably commence the to them necessary, but to the community ruinous, operations of saving themselves. They would begin rapidly to call in their debts and demand further security. Their debtors would fail, the banks themselves become embarrassed and most probably break, property fall, business stagnate. In one word, we should have to pass through the same gloomy times that followed the litter of banks of 1814. To pay a bond given for paper-money, which had depreciated into its constituent rags, the farmer must coin his acres of land into hard dollars, the manufacturer his mill, and the merchant his store. These would be still really worth as much as ever they were, but the bond, the pound of flesh, must be paid, no matter at what sacrifice."

The Governor then proceeded to describe the good effects of chartering that bank by furnishing the people with a currency of unquestioned soundness. "To have checked a circulation then healthy, to have changed a medium then general, or to have deprived ourselves of benefits so manifest, would have been the very height of madness."

Speculation, as we have said, had now set in very strongly. Bank stock was one of the most popular speculative materials. So Ritner remarked, and truly, "The more you increase bank stock, the greater will be the number of stock-jobbers, the more wild will be stock speculation, and the greater will be the amount of bank facilities in the hands of those 'operators' on the best



John Peter Gabriel Muhlenberg

Clergyman; colonel, brigadier-general, major-general in Revolutionary war; vice-president of Supreme Executive Council, 1787-1788; member of Congresses, 1789-1791, 1793-1795 and 1799-1801. Reproduced especially for this work from a canvas in Independence Hall, Philadelphia

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interests of the community. It is futile to attempt to choke with increase of food a throat which seems, like that of the boa constrictor, to stretch to the size of any victim; or to satiate an appetite that grows faster than the supply."

In his message for 1836 the Governor dwelt elaborately on the speculation then prevalent. He declared that it was the great malady of the times, "that desire which is now so ravenous, of acquiring wealth without labor. Submission to the old democratic spirit of the State yet restrains the open avowal of the doctrine that money is power, and keeps up the appearance of respect for useful labor, which has always characterized hard-working and economical Pennsylvania. But, in reality, we are far departed from the manly principles and vigorous morals of our fathers. A gambling spirit of speculation is abroad. The basis of it is a desire to obtain wealth at the expense of others, and without equivalent.

"The speculations of the present day, whether in stock, in coal lands, or town lots, are in reality nothing but the sale of a mere hope of greater success and profit than the seller had realized at the time of sale. If the eye be kept upon one of these transactions from the commencement of the excitement till the final prostration of the concern, it will be found to be a regular series of deceptions, disappointment and distress. No adequate value in labor or productiveness being generally transmitted from dupe to dupe, he in whose hands the gilded deception finally rests must prove its emptiness, and pay the whole amount of all previous profits. It is thus that with a regularity which might almost be graduated to mathematical exactness, the various stages of speculation are passed through till the final depression arrives with unavoidable and hopeless ruin. The great secret of the game is for each to hold the ball just long enough to enable him to strike his neighbor with the greatest possible severity, and not so long as to incur upon himself the forfeit. The spirit cannot all be checked even by the wisest measure of government. Part

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of it proceeds from principles and weaknesses inherent in human nature. But much of it is caused by, and of course is within the control of, legislation. The great number and variety of corporations created within a few years have increased and given food to this depraved appetite." The governor thought "a due regard for the public welfare demands that no new corporate bodies should be created except upon the most certain proof of their necessity, and of the accomplishment of the proposed object being beyond the power of individual enterprise."

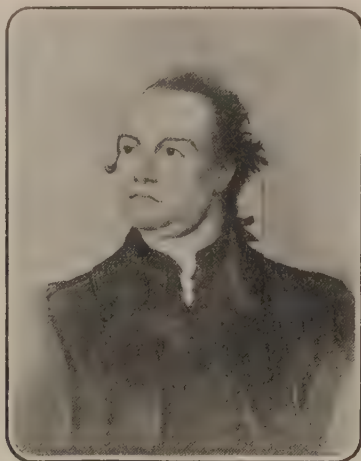
Foreigners who visited our country remarked on this rampant spirit that was everywhere prevalent. One of these writers described Philadelphia as a "bank-bound city of speculators, a gang of foul spirits, a city of merchants, whose counting-houses are their churches, whose money is their god and whose ledgers are their Bibles."

This speculative spirit was fed by the banks to an extraordinary degree. There was money to be made in organizing and selling the stock, money in issuing notes and lending them, and the spirit became very general and led to most disastrous consequences. It is true that the bank note circulation at the time Ritner began his administration seemed to be sound, but it was a delusive soundness, as all were soon to learn. Nevertheless, the Governor merely sought to prohibit the issue of any note below \$10. This would have been a most important check to reckless issuing if it could have been carried. There were too many in circulation for their basis of support. But the banks desired no such change and they were strong enough to have their way.

The subject of the abolition of slavery was now claiming special attention. All the Governors had rejoiced in the abolition of slavery in Pennsylvania and had been active in executing the law. But while they were honest and effective in doing this, they did not regard with favor the disturbing of slavery in other States. But the extension of slavery into unoccupied territory was another question. On the 19th of December, 1819, the legislature re-

Ritner's Administration

solved "that the senators and representatives of this State in the congress of the United States be and they are hereby requested to vote against the admission of any territory as a State into the



John Sullivan

Born 1740; died 1795; member Continental Congress from New Hampshire, 1774; appointed brigadier-general, 1775; active about Boston, in the movements against Canada and in the Long Island campaigns; led 4,000 troops against the Indians from the Delaware river through the mountains and valleys of Pennsylvania to Tioga Point, thence into New York State, where he completed the work of subjugating the savages, 1779; in later years active in Congress and New Hampshire State public affairs. By courtesy Wyoming Valley Historical and Geological Society

Union unless the further introduction of slavery or involuntary servitude, except for the punishment of crimes, whereof the party shall have been duly convicted, shall be prohibited; and all children born within the said territory, after its admission into the Union as a State, shall be free, but may be held to service until

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the age of twenty-five years." Opposition to slavery at home, which had been rendered effectual, opposition to new slave-holding States, and to its existence in the District of Columbia, Ritner declared, were the cherished doctrines of Pennsylvania, and he proposed to "maintain them unshrinkingly and fearlessly."

The speculation described so vividly by Ritner in his messages, the establishing of banks, the flooding of the country with paper-money, the unhealthy expansion of prices and business, the fever everywhere prevalent, finally culminated, as every thoughtful man knew it would, in the general crash of the banks, overthrow of business, and of failures of men throughout the country. At once there was a strong pressure put on Governor Ritner to convene the Assembly for the purpose of granting authority to the banks to suspend specie payments, in other language, to grant them authority to extend the time for paying their notes until they were able and could conveniently do so. The Governor wisely resisted, for, had the Assembly convened, the banks would have had their way and a new flood of State notes would probably have been authorized to fill the place of the discredited bank circulation. Such certainly was Governor Ritner's opinion, for in his message in December, 1837, he declared that we had "escaped the utter prostration of the currency by a vast emission of small notes, which the legislature would probably have authorized, and which would have continued to curse the country long after the present illegal circulation of a similar description shall have disappeared."

Though the banks suspended the payment of their notes, in other words, had failed, they continued to circulate them, though this was not legal. In law the banks had become discredited from the moment of their failure and had no right to continue business. Says Governor Ritner: "The fact that a general suspension of payment in gold and silver has taken place, without producing a general forfeiture of the charters, though it was the evident intention of the legislature to prevent or punish such a catastrophe by that penalty, neither justifies the suspension, nor proves that the

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penalty is unjust. It only shows that a crisis has arisen not foreseen by the legislature of 1824, in which the infliction of the penalty would be productive of more evil to the people than a continuance of the suspension. It is a remarkable instance of the virtual repeal of a general law of the land by the expressive, but silent, action of public necessity, by which even the fierceness of party zeal has been restrained."

It was simply necessity which kept the discredited notes in circulation. What would the people do if they were withdrawn? Would the substitution of State notes be any better? The people had been treated to some severe and lengthy experience of that kind. So, notwithstanding their discredited condition, they continued to float among the people. But now came a sudden change. The banks had been organized to make money by exploiting in all kinds of ways the credulity of the people; they had been tempted to borrow money, to speculate, to indulge in all sorts of excesses; and now that danger was seen ahead the banks turned on their customers suddenly and thought only of rescuing themselves.

More than sixteen million of loans had been cut off suddenly, and the notes paid by creditors had been retired. The banks were trying to preserve themselves, though by so doing they were doing their best to ruin their customers by cutting off their monetary supply. The Governor, though a friend of the banks, believed that the system needed radical amendments, and some of his recommendations are worth giving. He argued that the profits to shareholders should be restricted to seven per cent. annually, the notes to be still further reduced in amount; other borrowers than brokers should be first accommodated, and every bank should be compelled to keep its notes at par in Harrisburg, Pittsburg and Philadelphia; that all notes below \$10 be withdrawn.

Meantime the State was flooded with small notes. They were odious, yet they went. Each political party blamed the other for their origin; each disliked them, yet took them, for the larger

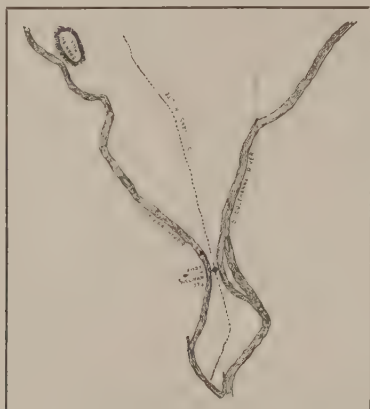
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portion came from unquestioned solvent sources, but all were illegal. At the last day of the previous session the State authorized a loan of \$150,000 to the Harrisburg and Lancaster Railroad company. This was vetoed because the Governor did not believe in beginning private works with State assistance "without full ability and preparation to complete them." This was an old practice which the Governor thought had been "too extensively followed and should be discountenanced." Besides, the proposed road was to parallel that of the State.

Knowing that Ritner was a strong believer in internal improvements, the legislature passed a bill appropriating large sums for private, as well as for public works. This he vetoed, but the next year the Assembly passed another and still more objectionable act. It appropriated for State work and repairs \$1,382,044, for State roads and bridges \$116,300, for turnpikes \$150,000 and for company canals and railroads \$295,000. The Governor hesitated to sign it, for he knew that a large portion of the money would be spent for useless purposes. Yet the Governor did sign it, and in his next message, the last he ever wrote, he thus explained his action: "The appropriations of last session were made with great profusion. They exceeded by nearly \$1,000,000 the amount which a prudent foresight seemed to me to justify. At the commencement of the session a full expose of the means of the State and the most pressing claims upon the treasury was exhibited. During the course of the session an adherence to moderation in expenditure was attempted to be enforced by every means within the power of the executive, on every proper occasion, but without success. And finally the unpleasant alternative was presented, as had been foreseen, of sanctioning appropriations, of which, in the existing condition of the public finances, he could not approve, or of wholly obstructing the use of the completed works by defeating a bill containing the indispensable provision for repairs. Under these circumstances that bill was sanctioned, but no act of my public life was ever performed with greater reluctance."

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Strong as Governor Ritner had always been in favor of internal improvements, his faith began to fail toward the end of his administration. The frauds were so great, the need of appropriating so much money to worthless purposes to secure the sum needful for useful ones, that he began to despair. In his last message he sadly remarked: "I once thought that no combination of circumstances would cause me ever to hesitate in advocating the speediest



Outline of Tioga Point or Indian Arrow

Showing positions of Fort Sullivan and Spanish Hill. Reproduced especially for this work from original map in possession of N. F. Walker

means that could be devised for the completion of our noble system of improvements; but the experience of the past two years has, I confess, shaken my confidence in the attainment of this desirable end, within any reasonable period. I have beheld the treasury amply supplied with means, and yet the session terminate without any provision for the prosecution of the works, because the terms dictated by companies and sectional jealousies could not be complied with. The next year the executive has been compelled,

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for the sake of obtaining a repair fund, without which even the portion already in operation would have been thrown idle, to sanction a bill pouring almost the last dollar of the public into the coffers of the private companies and into new channels.

"Thus it has come to pass that, notwithstanding a succession of circumstances the most fortunate, and of receipts the most ample and unexpected, the Commonwealth is left without means to continue her own works and redeem her own faith. Her contractors, her citizens, and the public generally, are, I fear, about to possess good cause of complaint that she has entered upon undertakings that she cannot accomplish; or, as the only alternative, the means to complete and render productive the projects of private speculation which have already proved so burdensome to the treasury and so insatiable in their demands, must continue to be granted without regard to consequences. If I could believe that the lesson, thus far, would be sufficient to produce reformation, I could even compel myself to recommend an increase of the State debt to meet the urgent wants which are now around us; but I cannot. The same spirit is yet at work; the same tax will still have to be paid by the State for permission to apply even her borrowed funds to her own works." All that he did, therefore, was to commit the matter to the legislature with a statement of the sums that would be required and the sources whence they might be obtained, if the gigantic swindle was to be continued.

CHAPTER XIII.

THE CONSTITUTION OF 1838—THE BUCKSHOT WAR

WE must now turn aside from the main stream of history to describe a new experience in constitution making. As the constitution of 1790 was a radical departure from that of 1776 in strengthening the executive and changing the mode of legislation, so another departure was made hardly less radical than the last. Even if the constitution of 1790 had been perfect for the people of the day, it could hardly be expected to fulfill the needs of the people living half a century afterwards. Afraid of the shadow of power in 1776, when battling with Great Britain, a constitution had been hastily formed confiding nearly all power to the Assembly, believing that, as the members were the representatives of the people, there was no danger of usurpation. The constitution broke down from the lack of an executive head, and its unfitness, especially for a Revolutionary purpose, would have been soon apparent if the bold leaders had not disregarded its provisions whenever necessary. The constitution of 1790, on the other hand, gave too much power to the Governor, especially in making appointments to office. The belief soon began to grow that this should be lessened, and the term of the judges shortened; in other words, that the constitution should be more democratic, reserving to the people a larger measure of power in the election of officers. Such a change, it was believed, would result in better selections and a juster balance of power. For many years the subject of holding a convention had been considered.

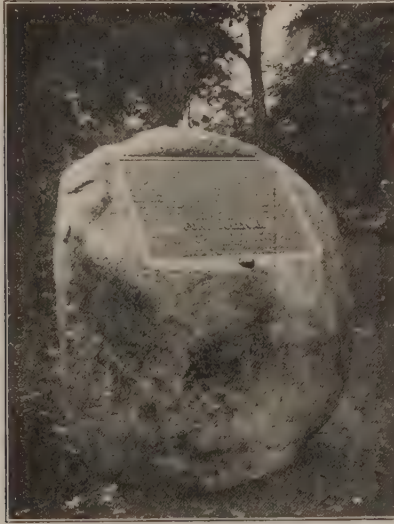
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Duane tried years before to stir the people to action, but he met with no success. Public sentiment had been gradually changing; however, and in 1835 the question was submitted and carried by a majority of 13,404 in a vote of 159,736. The people having voted in favor of a convention, the legislature fixed on Harrisburg as the place for assembling on the first Tuesday of May, 1837. Meantime delegates were to be chosen by the people (on the first Friday in November, 1836), apportioned in the same manner as the Senate and House and of the same number.

The city of Philadelphia sent John Sergeant, Charles Chauncey, William M. Meredith and James C. Biddle; the county, Charles J. Ingersoll; Adams county was represented by Thaddeus Stevens; Beaver by John Dickey and Daniel Agnew, and Northampton by James M. Porter. There were other delegates who often participated in the proceedings; indeed, the stream of debate was copious and prolonged, but these were its most prominent characters. Over this body John Sergeant presided. For many years he had been one of the most brilliant and honored men in the legal profession, a member of congress, effective in securing the Missouri Compromise, an envoy in 1826 to the Panama congress and a candidate for the vice-presidency of the United States on the ticket with Henry Clay in 1832. Of stainless character, impartial, the friend of all, the members of that body, one of the most worthy that ever sat in the State, selected him with a rare willingness, knowing that his judgment would be as impartial as his well known love of justice. The convention met on May 2, 1837, but not until the 16th did they begin to consider amendments. The intervening time had been occupied in organizing and adopting rules of procedure, which caused lengthy debate. Everything was debated; the stream of talk was unending. The convention had not been assembled a week before the fires of controversy began to rage. The convention had been called during a time of intense political excitement. Ritner was Governor and the Democrats were smarting under their defeat. The appointment of

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special committees on currency and finance and internal improvements caused a hot debate; for all knew what an opening of these discussions meant.



Boulder marking old Fort Sullivan

The inscription on the tablet reads: "In Sullivan's expedition, the march that destroyed savagery and opened the Keystone and Empire States to civilization, four brigades furnished by the States of Pennsylvania, New York, New Jersey and New Hampshire, with Proctor's artillery and Poor's riflemen, took part. At this Tioga Point, long the southern door of the Iroquois confederacy, 5,000 troops encamped. Named by the Continentals and garrisoned by 250 soldiers of the 2nd New Jersey regiment under Colonel Israel Shrieve, here stood Fort Sullivan with four block houses, curtains and abatis, from August 11th to October 3rd, 1779. This tablet is erected by the Tioga Chapter, Daughters of the American Revolution, 1902."

The first regular debate was on article VIII, relating to the oath of office. This provided that "members of the general as-

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sembly and all officers, executive and judicial, shall be bound by oath or affirmation, to support the constitution of the commonwealth, and to perform the duties of their respective offices with fidelity." During the debate Mr. Biddle inquired into the influence of oaths. "Are they revered? Are they not rather almost like custom-house oaths, which are proverbially a by-word and a reproach? But it is said that the history of these States has shown such oaths to be necessary for the purpose of preserving the different States in due subordination to the general government, that States have openly and even by laws resisted the rightful authority of the Union . . . We must be bound together by something stronger than oaths of office; these will never prevail against the conflicts of passion, and the jarring interests which may, at times, shake our government. It must be deeply rooted in the respect, the confidence, the affections of the people. Let these be lost and parchment constitutions and official oaths will prove of no avail."

On May 17, Mr. Stevens threw a little fire-brand into the convention in the form of a resolution to appoint a committee on the subject of secret societies and extra-judicial oaths. This was adopted, but the discussion was temperate. The fourth article relating to impeachments was debated at great length. It was proposed to change it, making the vote of a majority sufficient for conviction. The debate ran strongly against the change. One of the most noteworthy speeches was made by Mr. Biddle. "In all cases," he remarked, "this is objectionable, but especially so in its operations on the judiciary. There is no department of government in which all are so deeply interested . . . It pervades all society, and the sphere of its influence is coextensive with social order. While its functions are thus important, it is the weakest of all departments. It possesses no patronage, it dispenses neither favors nor rewards. While on the other hand it is thus unsupported, on the other, it is peculiarly exposed to assault. . . . The very nature of their duties exposes them to the vengeance of

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ill-disposed men. Shall no shield be extended over them for their protection?"

Mr. Porter, of Northampton, asked, "What evils have ever grown out of the present system of impeachment? Has any man ever been acquitted who ought to have been convicted? If so, I have not heard of the case. Judge Addison was convicted and all agree that he deserved to be removed from office for bringing politics upon the bench, yet many have thought that his offenses were rather such as would have justified removal by address than conviction or impeachment."

After a debate of several days and before concluding it, a majority of the committee on currency, corporations, public highways and eminent domain, reported that it was "unnecessary and inexpedient" to make any changes in the constitution on those matters. The minority, however, of whom Mr. C. J. Ingersoll was the leading spirit, thought differently. Their report was one of the most forcible documents presented to the convention, indeed, a noteworthy report in every way.

"Sore from the evils of paper money, which the exigencies of the Revolution extorted, the funding of whose greatly depreciated obligations was one of the first causes of discontent and division between the speculating and substantial classes of the new American nation, any other standard of value than the precious metals was earnestly deprecated at the outset of American government by all the prudent, the patriotic and the industrious, and was supposed to be guarded against by adequate provisions. For there is no other standard. There can be none. Every attempted substitute is delusive, if not fraudulent, a snare by which industry, morality, private property and public prosperity, all suffer alike. . . . The shocking vicissitudes of an unconvertible paper medium are but too familiar to all experience. They have cost this country more than all its wars. They were the greatest difficulty of the Revolution; and they are at this moment, the most oppressive, by far, of all the public burthens. They have caused a

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calamitous convulsion. No law can create capital at a strike. It is the slow growing offspring of industry and liberty alone. Preposterous luxury, insolvency and crime are the certain followers of the bank mania, a system of stupendous gambling and supersedes and derides regular occupation. Plethora brings on want, unnatural plenty, unnatural scarcity, prices so high that the working classes were pinched for food; then all at once, so low that nothing but a bad currency, speculation and monopoly can account for such sudden vicissitudes, the most devouring usury, controversy and litigation, panic, clamor, convulsion, and at last the refusal of the banks, in a time of profound peace, to redeem their notes in good money. These have been the rapid events of the last few months. With \$80,000,000 of gold and silver and abundance of everything needful for prosperity and content, large portions of our people are in a revolutionary state of disgust and excitement, are reduced to want, and maddened with disappointed hope.

"In common with the whole United States, this State is now suffering the most distressing crisis of a disordered currency. The great, first and pervading cause of that disorder is departure from the specie basis, and the whole strain of this review of the subject, avoiding as much as possible those exciting topics which have become party politics and as such infuse themselves into all discussion, has been to demonstrate that to restore the specie standard and reduce the bank supremacy is the obvious, the only and the infallible remedy. The last has been a terrible year for this country, more so than any one that has preceded it since the independence of these United States, distressing at home and disgraceful abroad. It will require many seasons of prosperous production to repair the banking ravages of the last two years at home, and a long tract of time to recover the American character lost abroad. The mode of living introduced by the imposing facilities of bank credit must be like the less ostentatious habits of the days of hard money; it is the first interest of this leading

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State to restore that sterling standard." The committee then proceeded to describe the limitations that should be enforced on banks and then to consider the subject of corporations. "At the period of adopting the first constitution of Pennsylvania they were so little known in practice that it was thought necessary to invest the legislature with express power to grant them. Thus the numberless and multifarious charters that had been granted by the present constitution of this State are the creatures of a constructive power both novel and questionable. They are all a compromise of the principle of equality with that of property. Whatever power is given to a corporation is just so much power taken from the State in derogation of the original power of the mass of the community, and violative of the equality of every individual not incorporated. Should no check be put on the present facilities and habits of incorporating individuals for lucrative purposes, that system of extensive and provident legislation which guarded against the accumulation and perpetuity of property by primogeniture and entail will be completely annulled, and the tenure of a property carried back to a system, not feudal in its military features, but much more strict and lasting than feudal tenure. Liberty remains, freedom of speech, of action, of the press, of religion, and of acquiring property; but equality is rapidly disappearing in the possession, distribution and transmission of it."

Various limitations to corporate power were proposed; laws forbidding perpetuities or monopolies for private purposes, the granting of charters only by a two-thirds vote of the members of two successive legislatures. A fierce debate arose over the printing and distribution of this report. Thaddeus Stevens started the debate. He said he had "listened to town meeting speeches and inflammatory harangues from raw Irishmen and imported Democrats, but he never listened to anything so incendiary in its principles and absurd in its arguments as this most extraordinary document. At a time when the whole community

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was ready for an explosion; when a magazine was laid which a single spark would cause to explode, to the disaster and utter ruin of the whole community, would the convention permit a member of its body to lay the train and apply the torch?"

The debate grew hotter and hotter over the printing of Ingersoll's report. Then Mr. Dunlap arose and inquired: "What, sir, have we to fear from this report? I esteem it perfectly gentle, harmless as the comet of Encke, that all the astronomers have been able to see through without the least difficulty, a mere globule of steam and vapor. We are told that it is inaccurate in its facts, delusive in its reasoning and unsound in its deductions. Is that any reason it should not be printed? If it is a mere picture of the works of fancy, the mere vagaries of genius, would you not let the people have a look at it? We permit our children to read the tales of the Arabian Nights, and is this more false than they? The *Metamorphoses* of Ovid are studied by our boys, and is there anything more monstrous in this abused and pelted document? I ask you imploringly, won't you let this elegant and polished document be presented to the full grown men and women of this Commonwealth? Why, sir, they'll get it anyhow; do not gentlemen know that it will be printed by that very accurate and industrious paper, the '*Daily Chronicle*,' which shows us up so prettily to our fellow citizens every morning?" The debate continued throughout the day and at its close the convention decided by sixty-eight to fifty-seven to print the report.

Without considering any further these interesting debates, it may be remarked here that in July the convention adjourned to meet again at Harrisburg, and removed in December to Philadelphia, where the labors of that body were completed on February 22, 1838. The amendments proposed were ratified at the general election in October by a vote of 113,971 to 112,759. The principal features of the constitution of 1838 were that the political year should begin in January; that the Governor should serve but two terms of three years each in any period of nine years, and

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that the senatorial term should be reduced to three years. The power of the legislature to grant bank charters and privileges was greatly restricted, and the Governor's patronage was taken away by making nearly all offices elective. The life tenure of judges in the Supreme court was changed to a period of fifteen years, while the term of other judges was fixed at ten years. The right to vote was extended only to white freemen. These changes in the constitution of Pennsylvania illustrate the general trend of constitutional development in the United States at that time. The influences of democracy were permeating every section of the country; life tenures in office were broken down; the aristocracy of office-holders were retired, and the people took actual possession of their governments. It is a period rich in suggestions for the student of constitutional history, and it reflects most powerfully the influences of the Jacksonian era in politics.

In the summer of 1838 Ritner was renominated for Governor and the Democrats nominated David R. Porter of Huntingdon. Bitter and abusive as was the last campaign, time had added to the hostile feeling in both parties. During Ritner's administration a series of letters purporting to have been written by him to his kitchen cabinet, composed of Thaddeus Stevens, Thomas H. Burrowes, secretary of the Commonwealth, and Theodore Fenn, appeared and were circulated as a campaign document. They were written by Ovid F. Johnson, afterwards attorney-general under Governor Porter, and Benjamin Parks, an editor of the "Keystone," at that time the Democratic organ at Harrisburg. The "Governor's Letters" attempted to belittle his excellency; he was declared to be ignorant, lacking in statesmanship and in about every quality needed of one to fill such a high office. But Ritner's party was not behind in vituperative power. The "Iron Gray" and "Keystone" were the regular Democratic organs at Harrisburg and the "Telegraph" the anti-Masonic organ. Stevens, Burrowes and James Todd, Ritner's attorney-general, assisted Fenn, the editor of the "Telegraph;" and whatever Andrew Cox.

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editor of the "Iron Gray," lacked in brilliancy and keenness was supplied by Isaac R. Dillar, George W. Crabb and George M. Dallas, while on the "Keystone" staff, besides Parke, were William F. Packer and Orville Barret. With such an array at the center of the State to furnish material and inspire the writers and



Fort Rice, Northumberland County

Erected 1779-1780. Still standing. From a sketch made especially for this work

speakers in other sections, it was certain that nothing which imagination and daring could invent and publish would be long hidden under a bushel.

The internal improvements had now come to play a great part in the election. Both parties realized how so much money and patronage could be used for party purposes. Ritner's party was now in and during the three years of his administration had not been negligent in filling all the places with his friends. Thousands were now employed in building, improving and navigating the system, while others, no small number, were employed to

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watch the navigators, adjust the compasses and to use the public where it would do the most good for the Ritner party. In the way of expending money the party managers had been eminently successful. Among the enterprises to absorb the public money, employ laborers and care for the needy, and swell Ritner's support, was the Gettysburg railroad, the peculiar creation of Thaddeus Stevens, and termed by his opponents by reason of its crookedness the "Tapeworm," emblematic of its author and of the methods of its construction, and which, after a large expenditure had been made, was finally abandoned as a worthless enterprise for which there never was the slightest justification save party necessity. It so happened, too, that the storms had been unusually violent that year and had greatly injured the canals, so that an unusual number of workmen were employed to mend them, while at the same time they were not unmindful that whether the canals would need to be improved long or not depended on the re-election of Joseph Ritner and the representatives of his party. Fed on such motives those employed dug and navigated night and day, though the stories of their industry that have been preserved cluster more thickly around the "Tapeworm" than around any other of the numerous enterprises of the State.

On the other hand, Ritner's opponents were not asleep. If they had not the canals and other places where they could employ men at public expense, they had possession of Philadelphia, a great city, where it was popularly believed they could execute almost any scheme that was needful to obtain a majority of the popular vote and elect enough members to secure the legislature. The defeat of Wolf had had the effect of uniting the party, except so far as men could be drawn away by the powerful stimulants of place; thus the contest was regarded as close, and this lent extraordinary zest to it. The Democrats were eager to regain their ascendancy and the multitude of places they had lost, with the rich prospect of millions more in store for them; the other party had been long enough in power to realize what a

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pleasant thing it was to rule and to hold office and draw a good salary and suffer others to do the work.

In these days betting was common at elections and there was no law against it on the statute-book. The chances were so even that betting was perhaps more general than ever before and the stakes higher. Ten and twenty thousand dollar stakes were put up; the names of the adventurers were known; others followed; the excitement daily increased; scheming to win, regardless of methods, grew bolder as the time for voting drew nearer. Finally the day came and the result, never awaited with so great suspense, showed that Porter had been elected by 5,540 votes. As soon as the result was known, Burrowes, who was chairman of the anti-Masonic committee, issued a circular to the "Friends of Governor Ritner," calling on them to demand an investigation of the fraud at the polls, and advised them to "treat the election as if it had never taken place." The circular had the effect desired, many of the defeated candidates now learning that they had a fearless leader, determined on the smallest pretext to contest the seats of their opponents. Amid the confusion Stevens's voice was heard, not in the least dismayed by Porter's majority. He declared at a public meeting in the court-house at Gettysburg that the anti-Masons would organize the House, and if Governor Porter were declared elected, the legislature would elect canal commissioners for three years and then adjourn before the date fixed by the new constitution for the inauguration and that Porter should never be Governor.

As the time drew near for the legislature to assemble (December 4) "Committees of Safety" were appointed in nearly all the counties of the State, and thousands flocked to Harrisburg to witness the scene. The House consisted of one hundred members, composed of eight from Philadelphia, whose seats were contested, forty-eight Democrats and forty-four anti-Masonic Whigs. The former clerk of the House read the names of the members given to him by the secretary of the Commonwealth.

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When the returns of Philadelphia county were read, fraudulent returns signed by only six of the seventeen return judges were substituted for the legal returns. Such action having been anticipated by the Democrats, they had the true returns properly certified, which were read, and thus the returns of two sets of contesting members from Philadelphia were before the House. One set surely was wrong, and the organization of the House depended on the admission of these eight members. Thaddeus Stevens moved the immediate election of a speaker. The clerk called the roll of Whig and anti-Masonic members and declared that Thomas G. Cunningham of Beaver, was elected speaker, and he was conducted to the speaker's chair and took his seat. The Democrats, disregarding what had been done, elected William Hopkins of Washington county, speaker, who was escorted to the speaker's platform. Thus the two speakers stood close by each other and faced the house, a strange and embarrassing position for both. The next movement was by Colonel Thomas B. McElver of Bedford county, who went up to the platform and ordered Mr. Cunningham to surrender the chair to Mr. Hopkins. To Stevens's amazement especially, he yielded and took another standing close by on the same platform. Though the attempt to do business was as novel as confusing, both began by administering the oath to the members, Mr. Cunningham to fifty-two members and Mr. Hopkins to fifty-six. Thus a double House was formed and each body appointed committees to wait on the Governor and Senate and state that the House was ready to proceed to business, and then adjourned to meet the next day at ten o'clock. The Cunningham party was so eager for business that it waited only until the afternoon, met in the hall, was called to order by the speaker, who then appointed Mr. Spackman, of Philadelphia, speaker *pro tem*. This was too much for some of the spectators, and, impelled by their indignation, they went to the platform and carried off Spackman and put him down in not the gentlest and most dignified manner in the aisle. His career as speaker had

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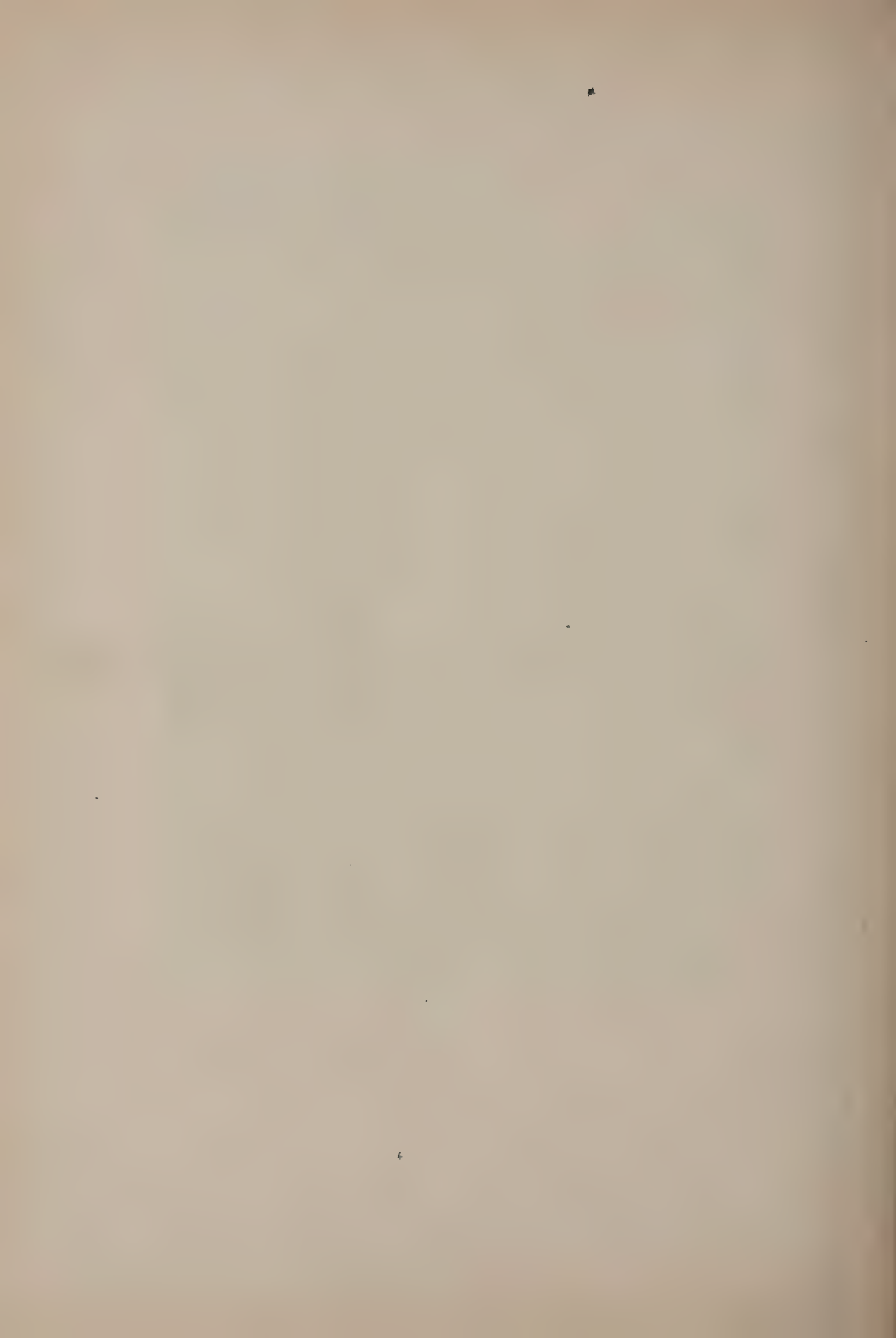
been much too short to distinguish himself in any manner except during the very brief moments that he was coming down the aisle on the shoulders of his indignant countrymen, when he perhaps excited as much attention as any man who was ever in the House. With such a sudden and entirely unexpected decapitation of their speaker this discomfited rump and headless House adjourned to Matthew Wilson's hotel (now the Lochiel). Here they were left free to sit, discuss and meditate over the exciting scenes of the day without interruption.

While such was the state of affairs in the House, events in the Senate were still graver. The majority of the Senate were anti-Masonic Whigs, and promptly organized by electing Charles B. Penrose speaker. There were contests from several districts and the majority were determined to seat those who would strengthen their number. Stevens and Burrowes went to the Senate to assist in the proceedings. They desired that the principle should be adopted of reading the first returns received by the secretary of the Commonwealth, whether there were a minority or majority. The two senators whose seats Stevens and his associates sought to overthrow were Messrs. Hanna and Wagner of Philadelphia. As soon as the clerk had read the returns of their opponents, Charles Brown, who had been elected on a majority return, arose and presented to the speaker a copy of the true return, declaring at the same time that the one furnished by the secretary of the Commonwealth was false. The speaker attempted to stop him, but the crowd in the lobbies shouted, "Hear Brown," "Brown shall speak." Finally, on motion of one of the senators, Brown was permitted to speak, and while speaking the people in the galleries arose, shouted and threatened violence to Burrowes, Stevens and Penrose. The spirit of the crowd quickly rose to fury. The speaker, unable to control the storm, abandoned the chair. Stevens and Burrowes escaped through a window in the rear of the Senate chamber and under the friendly shelter of darkness fled from the capitol grounds. One of the newspapers, in describing



Christ's Church, Philadelphia

In which Washington worshipped while President. From an old print



The Constitution of 1838

Penrose's retreat from the Senate chamber, declared that he had "jumped out of the window, twelve feet high, through three thorn bushes, and over a seven-foot picket fence." During the evening a large public meeting was held at the court-house, which passed resolutions recommending the citizens "to pursue a prudent and a calm course" and await events with firmness. The next resolution was couched in stronger language. "That neither those in power, who endeavor to perpetuate their reign through unlawful and fraudulent returns, or citizen-soldiers, who have the same feelings and interests with us, will intimidate people resolved upon having their rights." A committee was also appointed to wait on Burrowes and request him to furnish the clerk of the House and Senate full legal returns of the election, and another committee "of safety." At the time of assembling the Governor issued a proclamation in which, after three whereases, describing the "lawless, infuriated, armed mob" that had entered the Senate chamber and threatened "violence and death to some of the members," and that still remained in Harrisburg in force, encouraged by a person who was an officer of the general government, and "setting the law at open defiance and rendering it unsafe for the legislative bodies to assemble in the capitol," he called on the civil authority to exert themselves to restore order and upon the military force to hold themselves in readiness to repair to the seat of government.

At this time the State arsenal, which was then located on the capitol grounds, was entered and held by the friends of the Governor. The persons selected for this purpose were the employes on the canals and railroads, again showing how useful a force engaged nominally by a State, but actually by a party, at public expense, may be to the appointing power. Doubtless these men were quite as willing to serve in the arsenal as to work on Thaddeus Stevens's "Tapeworm;" their pay was the only thought that excited any emotion within them. This act of seizing the arsenal filled the people with alarm. There had been no out-

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break, but many began to feel that the Governor proposed to use force if necessary to execute his purpose as marked out by Stevens and Burrowes and other leaders. Every one knew that Ritner was a man of great courage and honest in his purposes; it was felt that he was in the hands of cunning and desperate men, possessing far more mental ability, and who had darkened his understanding and were about to use him to overawe the legislature by force. The crowd around the arsenal rapidly strengthened in number and fierceness and it was feared by the more thoughtful that they would soon make an attempt to dislodge those in posses-



Obverse



Reverse

Great Seal, 1780

sion. Seeing this, a committee appointed by the State authorities appeared before the committee of safety and pledged that, as men of honor, no ordnance, arms, muskets or ammunition should, by any order of the Governor, be taken from the arsenal for the purpose of arming any force that might collect in obedience to the proclamation of the Governor. This pledge was deemed satisfactory to the committee, and as soon as the people were informed the multitude began to disperse. The next day the Governor called out the First division of Pennsylvania militia, commanded by Major-General Robert Patterson, to march to the seat of government "to quell this insurrection." This division, consisting of about nine hundred men, was in Philadelphia; and, having obtained a supply of buckshot from the United States arsenal at Frankford, started for Harrisburg. To reach there required two

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days and on their arrival they were divided into two detachments, one of them taking the arsenal for quarters. The General and his staff at once reported to the Governor, whose residence was then on Front street below Chestnut. The door was locked and barred and the General was unable to gain an entrance until after repeated knockings, when the second story front window was opened and the Governor inquired who was there and what was wanted. The Governor immediately came down, opened the door and invited the General and his staff into the house. The General then asked for his instructions; the Governor made no reply, but at once sent for his cabinet. They appeared and began to question him. He was asked if he would obey an order of the speaker of the Senate, to which he gave a negative reply; for to do this would be to sustain a party, and that he had not come for a political purpose. He was then asked if he would obey an order from the speaker of the House, to which he replied as before, because there were two Houses and he did not know which was the lawful body; besides, he had no right in any event to take orders from either. He would obey only the Governor, save that he would protect the capitol, public property and preserve order. He was then asked if he would obey the orders of the Governor, and he replied that he would—all orders that the Governor had a right to give. Of course, his answer led straight to the question, "What would you consider a proper order?" to which he wisely answered, "I would consider that when the order was given." If he was ordered to clear the capitol and install in the chair either or both of the speakers he would decline to do this, for the organization of the House must be done by its own members. If he were ordered to fire on those they chose to call rebels he should decline to do so, nor would he permit a single shot to be fired except in self-defense or in the protection of the public property. These were not the kind of answers that the Governor, Stevens, Burrowes and the other legislative speakers wanted; they had already had enough of the General, and the conference ended abruptly. Meanwhile

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the Governor, not content with ordering the First division to Harrisburg, addressed a letter to Captain Sumner, in command of the Carlisle barracks, requesting him to march his troops to Harrisburg. The Captain declined, saying he did not think it proper to interfere in the troubles at the capitol, which seemed to be purely political. Governor Ritner then wrote to President Van Buren, informing him of all that had happened, further adding that the most active leaders of the mob were John J. McCahan, of the Philadelphia post-office; Charles F. Muench, a deputy-marshal of the Middle district of the State, and Edward A. Penniman, an officer of the custom-house. The President, replying through the Secretary of War, declined to interfere, until it appeared certain that the legislature could not compose its differences.

As soon as the Governor discovered that General Patterson had no intention of becoming a partisan and using the soldiery for a partisan end, he had no use for them and ordered the troops to return to their homes. He then called out Major-General Alexander, commander of the Eleventh division of the State militia, who lived at Carlisle and politically was an ultra Whig. There were three companies at Carlisle, numbering about ninety men; of these, sixty-seven responded. The battalion was in command of Colonel Willis Fould, a staunch Democrat, but the General ignored him and on the 15th of December started for Harrisburg. General Patterson and his soldiers were gone, and the Carlisle troops marched into the market-house and then to the State arsenal, where they remained for a week. The end was now swiftly approaching. On the 17th of December, Messrs. Butler and Sturdevant of Luzerne county, and Montclair of Union county, legally elected Whig members, abandoned their party and were sworn in as members of the Hopkins House. Thus increased, it had a legal majority without regard to the eight Democrats from Philadelphia whose rights to seats Stevens's "rump house" had disputed. The Senate, however, was unwilling

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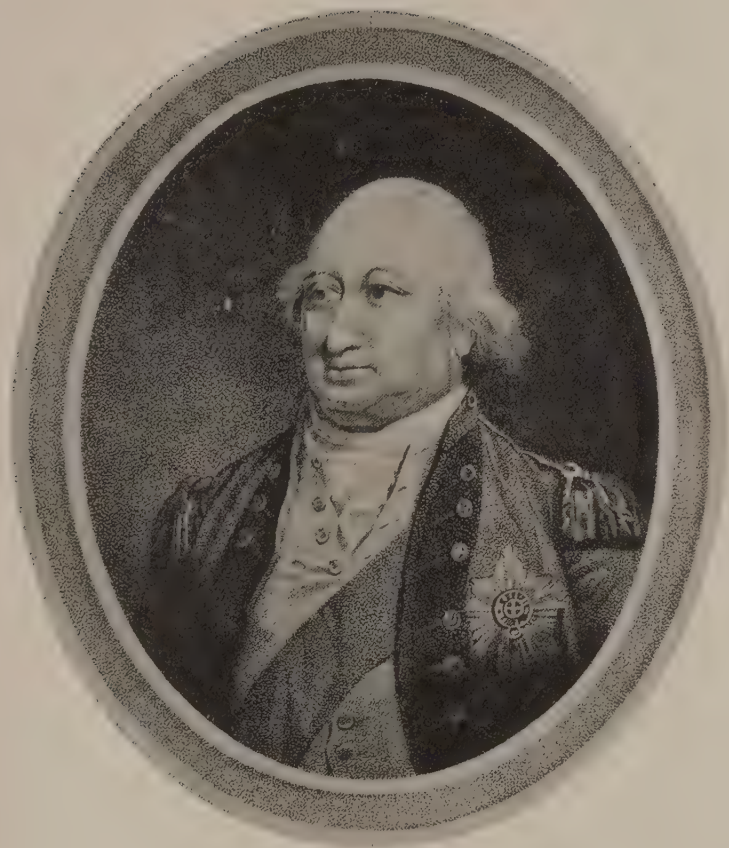
to co-operate with the House and continued its hostility for ten days longer, when that body finally yielded and by a vote of seventeen to sixteen "resolved, that a committee be appointed to inform the House that the Senate is now organized and ready to proceed to business." A joint committee was then appointed by both branches to inform the Governor that the legislature was organized. The returns were then opened, the amendments to the constitution were declared carried, and the election of David R. Porter as Governor was promulgated. But the fires did not soon die down. Both Houses appointed select committees to inquire into the "causes of the disturbances at the seat of government in December, 1838." A large mass of testimony was taken, elaborate reports were made and by this time all had cooled off and began to laugh over the attempt of Stevens and his colleagues to steal the legislature and Governor.

CHAPTER XIV.

PORTER'S ADMINISTRATION—1839-1845

DAVID R. PORTER, who became Governor in 1839, was born near Norristown two years before the adoption of the constitution of 1790. From his father, who was a Revolutionary soldier, the son inherited strong qualities. At Norristown Academy he fitted himself for Princeton College, which he did not enter on account of its destruction by fire. After his father's appointment as Surveyor-General of the State he took his son with him as an assistant to Harrisburg, where he studied law. Business drew him into Huntingdon county, from which in 1819 he was elected a member of the Assembly. For several years he held some county offices; meanwhile he was much interested in farming, and in 1836 was elected a member of the State Senate. His marked qualities were soon recognized, and without aspiring to leadership, he rose to a commanding position.

Elected Governor in 1838, he was the first to serve under the new constitution. His opening message is a review of the condition of affairs, an appeal for economy and good government, the separation of the government from banking, the lessening of the number of corporations and a strong plea for education. A few days afterward he presented another message relating to the finances of the State. The House was Democratic, while the Senate was controlled by Whigs. The public debt amounted to \$30,174,304. Of this sum \$22,229,003 had been spent for canals and railroads, and more than a quarter, or \$5,945,201, had been



Charles Cornwallis

Earl, afterward Marquis; British general; occupied Philadelphia, 1777; surrendered his army at Yorktown to Washington, 1781



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contracted within three years. The large sum of \$3,928,117 was either due or would be within a few months. This sum must be met, but whether besides doing so the public improvements should go on was another question. If they were to be continued, Ritner had regarded the following as the most useful: Erie extension, \$500,000; North Branch canal, \$500,000; Gettysburg railroad, \$300,000; West Branch canal, \$200,000; Wiconisco canal, \$100,000; Allegheny feeder, \$100,000. The canal commissioners had recommended \$1,200,000 for each of the first two objects, doubled the Governor's recommendation for the Gettysburg railroad and Allegheny feeder, recommended \$286,000 for the Wiconisco canal and \$300,000 for the Sinnemahoning extension. The commissioners also recommended an appropriation of \$1,256,467 "as necessary for the permanent repair and prosperity of the improvements." Though in favor of a judicious and comprehensive system of public improvements, the Governor suggested to the legislature the impolicy of applying the funds of the Commonwealth at the present time to any other work than the main lines and their immediate tributaries. How did the Assembly respond to these recommendations? It appropriated sums varying from \$500 to \$10,000 for roads and bridges all over the State, including \$3,000 to the Mechanics' society at Lancaster. After repeating his faith in the main scheme of internal improvements, he said: "Influenced by unfortunate causes and counsels, the legislature of the State has recently tended to distract the attention and divide the means of the public by the prosecution of various undertakings unconnected with the main lines and in many instances wholly for the benefit of private companies; thus placing the public means under their unlimited control, when the faith of the commonwealth was already pledged to apply its resources to the completion of its own works and to the payment of its own liabilities. It is manifest at a glance that just so far as the original system has been departed from, so far has the system itself been retarded, and the public money has been squan-

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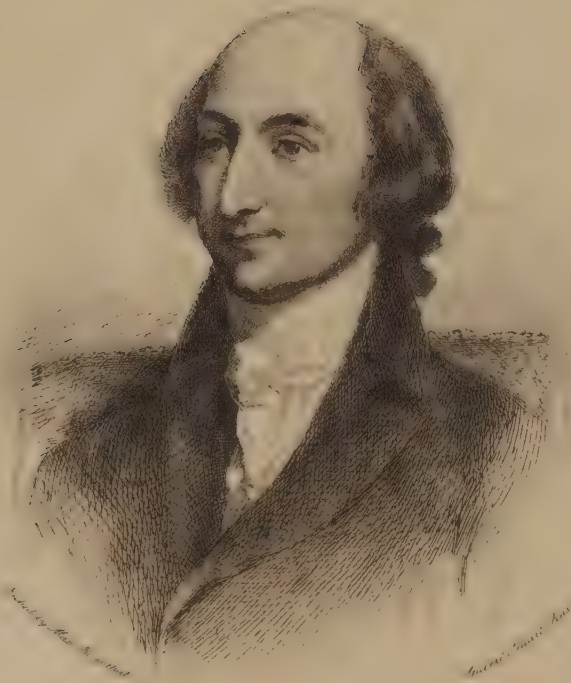
dered upon unproductive objects. It has only been within the last few years that this infraction of the internal improvement system has been carried to the greatest extent. To a person not intimately acquainted with the facts it would be a question not easy to solve, from an examination of the recent appropriation bills, whether the main lines of our improvements were prosecuted on account of their own intrinsic importance, or merely as pretext for lavishing upon numberless other subordinate objects millions of dollars of the money of the people. In some instances, as in that of the bill under consideration, the appropriations to secondary objects have been made first, while the appropriations to the main lines have thus far failed entirely. It will be but one step farther in the departure from the original system to drop the main lines altogether and henceforth disperse the treasures of the Commonwealth among incorporated companies, local prejudices, local interest and expert bargaining to secure in the general scramble the largest share of the public money."

The remark of the board of canal commissioners that a million and a half dollars were needed to render the canals "adequate to transact the business which may and should be done upon them," led to a legislative investigation, and the committee found that "the amount required for repairs was greatly exaggerated." The committee could not overlook the fact that in the late reports made by the engineer, occasion seemed to be taken and a disposition was strongly manifested to swell the estimates to an unreasonable amount. This circumstance, taken in connection with some expressions used by the canal commissioners, evinces an earnest desire to create an impression upon the public mind that under the late administration the public improvements had been neglected, and had suffered from the want of timely repairs. Of such negligence the committee found no evidence. The committee deprecated the introduction of anything like political or party feeling in the prosecution or management of our internal improvement system, but the inference was too glaring to escape

Etched for this work by Max Rosenthal from the painting by Gilbert Stuart
 Owned by the Gallatin National Bank of New York

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Engraved by J. G. B. 1791. Historical Publishing House, Paris.

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observation, and too palpable to be permitted to pass unrebuked. The committee then proceeded to show in detail how greatly the estimate made by the board for repairs surpassed what a liberal policy demanded. The plot now thickens and henceforth our legislative records are full of the story of internal improvements, which for several years overshadows all others. There was a vast amount of floating indebtedness to be paid off that was affecting the credit of the State. Party politics, too, was playing havoc with all the appointments. Appropriations were irregularly made and all work was fitfully done, costing far more than it would if made in a regular manner. One of the investigations relating to the Gettysburg railroad may be briefly described. It was a parallel line to the main works to a considerable extent, and if completed would have diverted trade from Pennsylvania to the Baltimore and Ohio road. A road was to be built from Columbia to Gettysburg and then there would be a through line to the Baltimore and Ohio. The committee remarked that of all the works of doubtful expediency constructed by the State, there was none so useless, so expensive or of as little value as this. It was commenced by fraud and intrigue and will end in disgrace and loss to the Commonwealth. The road was to cost \$77,340 per mile, nearly double as much as any other road at that time built in the country. Six sections which were estimated to cost \$37,660 had cost \$99,181. Sections had been relet at greatly advanced prices to the old contractors, without abandoning the former contracts or stopping work under them, or without advertising for proposals. Politics had, indeed, played its disastrous part. During the election of 1838 those who were conducting the works interfered in the pending election for Governor. The superintendent raised the contractors' prices by a connivance at the provisions and injunctions of the law, and the contractors in turn taxed the men engaged upon the work as laborers large proportionate amounts of their hard earnings to bet upon Mr. Ritner's election, and to bear the electioneering expenses. In some cases this sys-

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tem of oppression and robbery was resisted and the money collected by an appeal to the law.

When Governor Porter came to have a knowledge of the public improvements his zeal for them greatly cooled. He declared in his first annual message that it was incumbent on him to exhibit the actual productiveness of our internal improvements in a light somewhat less flattering than that in which it had usually appeared. . . . "It had been customary to state the gross amount of tolls derived from the canals and railroads in such a manner as to convey the impression that they yielded that sum clear of all deductions for management and repairs. The constant yearly increase of tolls had served as a powerful stimulant to the prosecution and extension of the entire system of our improvements. Men of sanguine feelings had confidently looked forward to an early day on which the tolls arising from our improvements would not only pay the interest on the whole State debt, but yield, in addition, a large surplus to be applied to the extinguishment of the principal. Local interest and ardent public enterprise readily concurred in this opinion. We had embarked in the system too deeply, both in pecuniary investments, and in a State pride, to turn back. The great undertaking must go through; we had pledged our faith, our firmness and our ability to that effect, and we gathered hope and confidence wherever they could be found. It is not surprising therefore, that our governors, legislators and people have deceived themselves and deceived each other in pursuit of the favorite object. It forms no just ground of censure against the active supporters of our system of internal improvements that they have fallen short, far short, of public expectation, in the amount of revenue they afforded. The time may perhaps arise, at no very distant day, when the increase of our population, business and wealth will enable us to realize the flattering anticipations of the early friends of the system."

The income from tolls and motive power for 1835 had been \$684,357; repairs and cost of motive power, \$431,626. 1836.

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income \$671,849; repairs, \$551,024. 1837, income, \$975,350; repairs, \$883,516. 1838, income, \$966,029; repairs, \$1,069,657; debts due, \$275,000; deficit, \$378,628. 1839, income, \$1,101,904; repairs, \$656,460.

Thus the State made a poor showing as a builder and manager of canals and railroads. Those in charge had covered up the truth, and the public had been fooled into believing that the improvements paid. As long as the people were not taxed they did not care. The State, instead of paying, kept borrowing and telling the people that eventually enough would come from the works to pay all expenses, interest, and the debt itself. The time was rapidly coming when the truth would be known and the people be compelled to foot the bill. Indeed, the time had now come when the Governor had to tell a part of the truth. "The affairs of the Commonwealth," he said, in his message of 1840, "have been for several years gradually verging on towards deeper and deeper embarrassment, until we have at length reached this unexpected deficiency of funds in the treasury to meet the demands upon it. The people have been told again and again that our fiscal condition was flourishing and prosperous, while in fact our prosperity was all based on paper calculations and loans, which we are just now beginning to perceive bear interest, and are some day to be paid." The sale of the public property was impracticable and the Governor was firmly opposed to more loans. Taxation, therefore, was the only expedient.

Accordingly, on the 11th of June, 1840, a tax "to create additional revenue to be applied towards the payment of interest and the extinguishment of the debts of the Commonwealth," which was to bring in \$600,000 annually, was imposed. It was to be collected for five years. Its advocates believed that the sum thus raised, together with other resources, would "probably liquidate the interest account without further resort to loans for that purpose." It provided "such a rate for the assessment of taxes as to fall with gentle weight on those who are little able to bear any

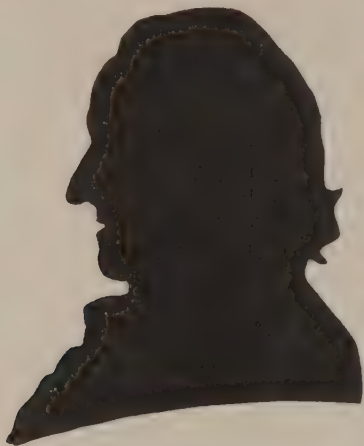
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addition to their expenses." The articles taxed were those purely of luxury, gold watches, pleasure carriages, household furniture exceeding in value \$300, together with bonds, bills, and notes of solvent obligors, bank stock, or stock in other corporations, yielding dividends of at least one per cent., salaries of public officers and real estate. Although this act undoubtedly operated with some hardship upon those who fell within its provisions, still they did not suffer much, for they did not belong to the poorer classes. Governor Porter defended his scheme of taxation in his next message. He said: "I recommended taxation; that recommendation was adopted by the legislature and it is a source of proud gratification to me when I consider that the people of Pennsylvania, almost to a man, so far as I have been informed, with a firmness and patriotism worthy of themselves, have yielded to this necessity without murmur or repining. I feel fully convinced that at the expiration of the five years at farthest, with a reasonable degree of prudence, and with strict economy in the management of our affairs, the income of our improvements will render renewal of this law wholly unnecessary."

Still, all did not pay the taxes so willingly. The Governor had presented a too rosy view. Indeed, his own language betrayed the truth. "If," he said, "any difference of opinion exists as to the necessity of this tax, let these questions be answered by those objecting. Does not Pennsylvania owe this debt? Is she not morally and legally bound to pay it and its interest as it falls due? Can they point out any other mode by which this can be done?" At that time no tax had yet been collected. The act was amended in various ways in 1841 to make it more palatable. The county commissioners were delinquent and some of them made no returns, consequently the Governor was quite unable to give the legislature much information on the subject, except that only a small amount of taxes had been collected. This was not strong proof that the people were willing to pay and to save the State credit. The Governor talked well, declared that the debt

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must be paid, and that taxes must be imposed. On this subject there was, he said, no diversity of opinion among the great mass of the citizens of the State. All agree that whenever the constituted authorities of the Commonwealth have entered into engagements conformably to the constitution and laws, whether these



John Dickinson

Member of Assembly, 1764; the Colonial Congress, 1765; and the first Continental Congress, 1774; commissioned brigadier-general, 1777; member Federal Constitutional Convention; founder Dickinson college, Carlisle, 1783; president of Supreme Executive Council, 1782-1785

engagements have been characterized by due prudence and a proper regard to the interests of the public or not, the honor of the State, the permanence of our republican institutions, and a sacred regard to the sanctity of public engagements, require that the resources of the Commonwealth and the energies of her citizens be put in requisition to meet her public engagements promptly, punctually, and unhesitatingly. But the uncomfortable

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fact is, if they thought so, they set their good intentions aside by not paying their taxes. They were strangely delinquent for a people who believed in maintaining the faith of the State. They were more interested in escaping the payment of their taxes, which would save the honor of the State, than in preserving it at a slight sacrifice, perhaps, to themselves.

Another remedy was to sell the State stocks, railroads and canals. This was intimated by the Governor in his first message in 1840, especially the sale of the bank stocks. There were two strong reasons for doing this; they would bring a good price, yield some much-needed money, and again the State would thereby be divorced from the banks. Once more they had suspended specie payments and were discredited institutions. "The interest of the State," said the State treasurer, A. H. Read, in 1841, "as a banker is necessarily subjected to all the fluctuations, suspensions, and explosions of the present miserably defective system. The aid and countenance accorded to suspended banks, in virtue of a partnership with the Commonwealth, naturally tends to lower the standard of morals in the community, to depress the character of the State for high moral sentiment, and to impress a withering stain upon our national escutcheon. The only objection ever made to the sale of these stocks is, they are productive. This is not even a plausible objection. They are productive stocks, and therefore will command a fair price in the market, with the advantage of a prompt and ready sale, and hence peculiarly adapted to the pressing exigencies of an exhausted treasury. Even were it morally honest, under other circumstances, to continue a partnership with suspended banks, it cannot be right, when the public creditor, who has confided in the faith and honor of the State, is daily knocking at your treasury in vain." The productive character of this investment of the people's money is not a legitimate argument, because governments are instituted for specific purposes, and not at liberty to engage in any and every pursuit which may present the stimulus of large

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profits. If admitted as an argument, it would prove too much; it would justify the Commonwealth in commencing the manufacture of leather and iron, and in growing silk and wool, or any other business of equal profits with that of banking. What would be the conduct of a prudent individual in like circumstances? His credit exhausted, his notes at a discount, further loans refused, no means of paying interest on his accumulated debts, large investments previously made in reference to his principal business lying dead and unproductive for the want of a small additional sum, would he hesitate? Would he not instantly part with his bank stocks to relieve his embarrassment and put his affairs in a prosperous condition. I am not aware of any other resource for the payment of interest on February 1 but the sale of a portion of these stocks." The Governor also recommended at the same time the sale of the motive power on the State railroads, including locomotive engines, cars, tenders, workshops, engine-houses, depots, wells, water-power, sheds, mechanical instruments, and all other appurtenances of motive power.

In Governor Porter's first message he strongly urged a separation of the State and banking institutions. He said: "The association of private individuals with the State in banking institutions results almost entirely to the advantage of the former. Whatever hopes may have been founded on such association by the legislature, that the banks thus owned would be at all times ready to aid the Commonwealth, have been illusory. Although the State owns 3,750 shares of stock in the Pennsylvania bank, 5,233 shares in the Philadelphia bank, and 1,708 shares in the Farmers' and Mechanics' bank, yet she has not such a share in the direction of either as to control any of their proceedings, and derives no benefit from the partnership. Her capital is used by her individual associates for purposes of private gain and speculation, and the Commonwealth, when she wants money, is compelled to look elsewhere. I, therefore, recommend the passage of a law authorizing the sale of the State's stock in said banks, at such

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time and in such manner as will yield the greatest amount to the State; or, if it be found that such sale cannot be made without too great a sacrifice, owing to adverse circumstances or other causes, that authority be given to declare their charters annulled and to divide the assets among the State and private stockholders."

Never did sounder reasons exist for selling public property, yet the legislature refused to give the Governor authority to sell. Did the banks oppose the sale of them? Did they fear that they would decline in value by the sale of such a large quantity, or by the retirement of the State as a shareholder? Whatever the reasons might have been the stocks began to decline. And still the legislature declined to sell, though the value of the stocks was depreciating and the credit of the State was sinking still lower. Although the bankruptcy of the State was staring the Governor in the face, and he was putting forth his best efforts to save its credit, he continued to urge the completion of the public improvements. If they were not, various enterprises would be revived; if they were, it was doubtful if they would pay much. These were the North Branch extension from Lackawanna to the New York line, to connect there with the New York system; the Erie extension from Greenville to Erie harbor, and the Wiconisco canal from Duncan's island to Wiconisco creek, and a short road to avoid an inclined plane at Columbia. In 1840 \$3,322,333 had been spent on these and \$4,553,503 were needed to finish them; and the Governor urged their completion, notwithstanding their doubtful utility. The Gettysburg railroad was dead, for all time; that sink was finally closed, but the time had not quite come for extinguishing the rest of these ill-conceived enterprises. The true policy, so Governor Porter thought, was to finish these and build no more. The State treasurer in 1841 still declared that the policy heretofore pursued of negotiating loans for the construction of our public works, thereby stimulating industry, maintaining the character and dignity of the State, and placing us in the

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front rank in the march of improvement, is in the main approved, that the public debt is a matter of regret only in so far as the fruits thereof have been recklessly squandered on local projects. But a public debt should always be limited by the amount of available resources. There was a point, however, beyond which that



Jesuit Mission Relic



The illustration shows the obverse and reverse sides of a cross which is one of several relics found on the north side of the West Branch of the Susquehanna river about one mile west of Great Island. The original of the above is owned by Dudley H. Martin, the finder. These crucifixes were probably given the Indians by Jesuit missionaries. An unauthenticated story tells of a mission where Evangeline, immortalized by Longfellow, stopped in search for her lover, which, if true, might explain the many

relics found in the locality. To give further color to the story, a warrant of land near by was taken out in 1794 by Robert Ritchey and named Acadia, which name it still retains. Photographed especially for this work by C. Alex. Shemp

policy should be abandoned, and that point in Pennsylvania had already been reached. The credit of the Commonwealth had been pushed to its utmost limit and any further effort to extend it would, if successful, sever the cords of our social compact, part us from the anchor of our hope, and wreck us in the gulf of State bankruptcy. The system of loans was at an end. The source of revenue had failed; that fountain had become dry; we could not, if we would, obtain further loans. The tax law of the last session, contrary to expectation, had failed to revive our waning credit; our stocks continued to decline in the market. The eagle-eyed capitalist, comparing our resources with the liabilities incurred, refused to receive them, and if not from an enlightened policy, from imperative necessity, we must change our mode of

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action; we must have recourse to our vendible and available resources for the completion of our splendid system of internal improvements. At last the borrowing power was exhausted, while the people who were so willing to come to the rescue and save the declining credit of the State by paying their taxes were scarce. But was there no income from their gigantic system of canals and other modes of transportation? Nearly twenty years had expired since beginning them, and it was quite time that some revenue should come from them unless this was to utterly fail.

The main line of improvements, though built at a cost far greater than to a private individual, would have paid a handsome profit if it had been managed by the State after its completion. But individuals who are always alert to make a fortune quickly stepped in and undertook to use the means of transportation thus prepared for their own gain, and so the State reaped no profit from its undertaking. It had simply prepared a splendid way for a fresh set of individuals to reap great fortunes at the expense of other people of the State. But others besides them profited. The contractors and employees were legion and their claims against the State were innumerable. If a contractor bid far below another and less than he ought, he did not hesitate to go on with his work, confident that the legislature would reimburse him in the end. Such a method destroyed the whole force and effect of competition in bidding for contracts, because the contractor did not care how low he took the contract, provided he had some assurance that the legislature would remunerate him "and which he had a strong assurance they would do from the legislation of the last few years on the subject."

A few dissatisfied contractors and others imposed on the credulity and stimulated the ambition of some member of the legislature to offer a petition complaining of public grievances. A committee to investigate was appointed, subpoenas were issued, and straightway swarms of hungry confederates repaired to the seat of government to prosecute their claims before the legis-

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lature, to lounge at the public expense and join in a wholesale pillage of the treasury. In the close of the session the committee reports, "the witnesses return to their homes and laugh at the trick as they pocket the spoils." A large portion of the legislative expenses is incurred in this way. The extraordinary increase of these expenses, over those of all other departments of the government, has been of late years a matter of just complaint. At last, in 1842, the Governor began to think it was time for the State to retire from the transportation business. He had reached this conclusion with respect to banking business before he became Governor, but it needed some more hard experience of sham contracts, worthless officials, and a lack of income to convince him that the State was not prepared to build and manage canals and railroads. The story of trying to complete the North Branch and Erie extension canals was disheartening. They had cost far more than the estimates; the contractors had taken all they could get and serenely continued to work, confident that the legislature would amply compensate them for their patriotic endeavors to complete the canals after the commissioners were unable to supply any more funds. Notwithstanding all this the Governor hesitated to call a halt. One reason, and a potent one, was that contractors would have a new class of claims for remuneration for the losses sustained by the State's abandonment of its work. "Contractors who have gone on to the work, and perhaps executed the least profitable part of it, will have fair claims on the justice of the legislature for remuneration for the losses they have sustained by an abandonment of the work by the State." "Judging from the success which usually crowns perseverance in similar applications before the legislature, there can be but little doubt that this class of claimants will not go away unanswered and unsatisfied." The Governor declared that if the State were out of debt he would not favor selling the transportation lines, but, oppressed as the State was, its credit gone, unable to borrow any more, he proposed to sell the Columbia railroad

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and the Delaware division of the Pennsylvania canal. A little later he was ready to sell all; and public opinion was moving in the same direction.

We may now turn to other matters. In October, 1839, most of the banks in Philadelphia suspended specie payments, and those in other parts of the State followed their example. The banks generally throughout the Union did likewise, except those of New York city. The suspension came as a surprise to the public, paralyzed business and shook public and private credit. From all classes of the community, save those alone who were interested in banks, was heard a loud and deep condemnation of the measure. Innumerable remedies were suggested, some looking to the regulation of these institutions, others to their punishment and extirpation, and the Governor was besought to convene the legislature at an earlier day to consider measures for relieving the banks and the people. There were at that time fifty-two banks in the State, with an aggregate capital of about sixty million dollars. Some had been so disregardful of the law concerning returns as to make no returns, or such imperfect ones that it was impossible to arrive at anything like accuracy in the amount of their circulations, specie, or debts due to them. Their notes in circulation amounted to thirty-three million dollars and the amounts due to them perhaps seventy millions. "Stocks in our railroads, canals, turnpikes, etc., were held by some of these banks, and in the shape of subscriptions, bonuses or dividends, they contributed largely to the general fund in the State treasury, and to the support of the common school system. Their charters expired at various periods between that time and 1870, and the stock in them was owned by a great number of persons of all ages, classes, conditions and pecuniary means. The capitalists of the country, as well as those of moderate means, widows, orphans and guardians, all own stock in our several banking institutions." Thus the business interests and banking institutions were intimately connected together and mutually exerted a powerful in-

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fluence on each other. From one point of view there was a marked difference in the condition of the people at this time from what it was in 1816-18. Then, as now, the country was flooded with foreign goods, which low duties, and credit upon those duties, enabled foreigners to introduce and then create a large debt abroad. Then, as now, the banking capital, banking facilities, and bank issues were increased beyond what the necessities of the country for the healthful transaction of its business required. Then the spirit of speculation had infected the agricultural as well as other portions of the community; now, however, the farmers were generally out of debt and flourishing; the mercantile and manufacturing classes were the principal sufferers by an undue expansion of the credit system. A large amount was due abroad, borrowed for creating banks, canals, railroads, and other purposes, and also by the State. The banks had acted as the brokers on a large scale in negotiating the State loans with foreign capitalists. But the legislatures of the several States had created the loans, and were therefore responsible for furnishing the chief aliment in feeding the credit system. It was no doubt true that the inordinate increase of banks in late years had been partly produced by the immense accumulation of State credits and had, in some degree, stimulated the action of the legislatures of the several States by affording agents to negotiate and customers to consume the avails of the stock when negotiated.

Until within the last year the State had been able to borrow money without difficulty on State stocks in Europe and to pay the interest arising in former loans by new ones. The people felt no inconvenience from this inflated system of credits and seldom reflected that a day of reckoning would come, when the State could then pay debts no longer. States, banks, corporations, and individuals all moved forward in harmonious union, borrowing all they could and wherever they could, without reference to their future ability and means of repayment. The delusion was over at last. State stocks were unsalable, a drug in

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foreign markets, and the State was asked to pay the interest on its permanent loans, and had no means of paying unless specie was exported, "except to rely on the remote avails of our agricultural productions or dispose of more State stock, at a ruinous sacrifice."

The legislature took the matter in hand and attempted to prescribe a remedy. So strongly entrenched were the banks in the Assembly, there was no danger of the passage of any of the Governor's stern recommendations. On the 3d of April, it was resolved that the banks which did not pay on demand all their notes, bills, deposits and other liabilities in gold or silver coin should forfeit their charters. The Governor in his next message stated that though the day fixed for resuming specie payments was more remote than he wished at the time, yet the period of indulgence had nearly passed away and there was good ground to believe that the banks would be prepared to discharge their liabilities in specie. Should they do so, by continuing strictly to observe the law and fulfilling the just expectations of the public, they might regain the confidence they had lost, and especially if they adopted better regulations. One of the most immediate advantages resulting to the community from the resumption of specie payments would be the entire expulsion from circulation of the illegitimate brood of small notes that had been poured in from the neighboring States on all sides in defiance of law and of the most active endeavors to suppress them. We could conclude without recommending that no increase of banking capital be made under any circumstances, and that effectual provision be made by law that if any bank should at any time hereafter suspend specie payments it should be, ipso facto, a forfeiture of its charter. Nothing short of an absolute and unconditional provision of this kind could arrest the frequent over-issues by the banks, induced by the inordinate cupidity of those under whose directions they may be conducted. But the Governor's hopes were not to be realized. The greatest irregularity still prevailed in the currency. There was not much of that wretched, illegal trash in circulation which dur-

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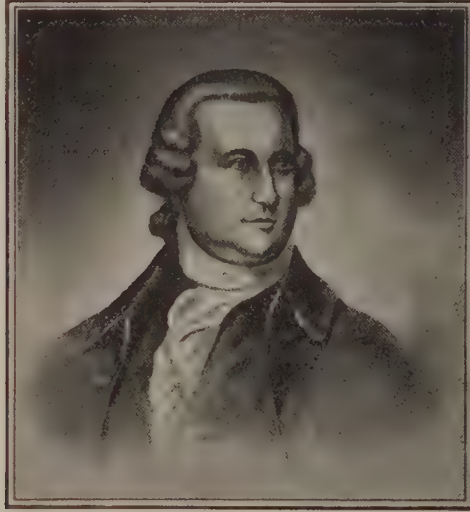
ing the early part of the last six years had infected all sections of the Commonwealth in the forms of notes, checks, certificates, etc., of corporations and individuals for small sums, put forth without lawful authority and in spite of the prohibition of law, but there was still a large amount of notes in circulation, ostensibly legal, and purporting to be of equal value, because founded on the faith of the State, by whatever bank issued, and yet, notwithstanding this fact, discredited and repudiated by the very institutions for whose benefit and relief they were authorized to be issued.

In 1841 the legislature authorized the banks to issue notes below \$5 to the amount of \$3,100,000 as a loan to the State, that were to be used in paying its expenditures, schools, pensions and the like. By this plan banks were authorized to issue notes to the amount of their respective subscriptions to the loan and pay them into the State treasury, and any holder of \$100 or more of them could present them to the issuing bank and when doing so was entitled to an order on the auditor-general for an equal amount of stock. In this manner were they to be redeemed; meanwhile the banks were entitled to one per cent. interest on them while they were in circulation. They were to be received by the bank that issued them in payment of debts due to it, and on deposit, like currency, and the State treasurer was authorized to re-issue them. The Governor vetoed the bill, but the banks were too strong for him. They succeeded in passing the bill over his veto, and he was compelled to execute the law. "I did hope," he said in his message in 1842, "that some of the evils which have resulted from it might have been obviated if it was enforced by me and acted upon in a spirit of enlarged wisdom by the banks themselves." This hope had been vain. The worst anticipations had been realized. The Governor thought the law ought to be repealed, the loan forced, and the banks compelled to begin the payment of specie on the 1st of June.

Governor Porter was not less zealous in trying to restrict the spread of corporations. In his message of 1840 he said: "Let

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the increase of corporations hereafter be limited to cases of undoubted public utility, where individual capital and enterprise are insufficient to accomplish the object intended, and let the power of the legislature to control or abolish them, be at all times expressly reserved. A system resting on opposite principles must



Frederick Augustus Conrad Muhlenberg

Clergyman; congressman, 1779-1787, and speaker of the House. Reproduced for this work from an original painting

eventually transfer nearly all the powers and authorities of the legislature, as well as the business of the people, to corporate bodies, and then silently but effectually achieve a revolution in our civil relations; for if the obligations of men may be converted into those of a limited and artificial nature, instead of a direct personal responsibility, it is manifest that the very elementary principles of society are changed. We shall be constrained under

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such change to reach the citizen, not by the immediate process of the law, but by its clumsy, indirect application to him in an ideal state of existence created by legislation and rendered independent of the usual responsibility of the members of society. This is the condition of things, complicated and clogged by corporate exceptions and privileges, towards which our recent system of legislation on this subject has been hastening us, and at which we shall sooner or later arrive, unless it be abandoned."

Notwithstanding Porter's unflinching opposition to the banks, to every form of wasteful legislation and corruption, to more effective taxation, he was re-elected in 1842 by a large majority. His re-election was a triumph of principle, proof that the people had at last aroused from their torpor and desired a better government. His re-election was a cause of rejoicing by every honest man having any pride in his State and desire to have it raised from the low place into which it had sunk.

Porter had not served long in his second term when the financial crash came, which he had striven so hard to avert. On the 1st of August, 1843, the State was unable to pay the interest on its debt. Notes for interest were issued bearing five per cent. interest, that were funded years afterward by giving new certificates of stock bearing four and one-half per cent. interest. There was some complaining because the same rate of interest was not paid on these as was paid on the original certificates. They were given five times, in August, 1842, and in February and August, 1843 and 1844. After this the State resumed payment. The relief notes issued by the banks under the law of May 4, 1841, amounted to \$2,220,265. These were presented for payment at different times, paid and cancelled. By January 1, 1846, \$867,087 had been discharged.

The taxes assessed and collected during the first five years of the law were: 1841, assessments, \$523,200; collections, \$33,292. 1842, assessments, \$663,075; collections, \$486,635. 1843, assessments, \$992,206; collections, \$553,911. 1844, assessments,

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\$946,055; collections, \$751,210. 1845, assessments, \$1,300,751; collections, \$1,318,332. Total assessments, \$4,425,289; total collections, \$3,143,382.

The amount due December 1, 1845, was \$873,535. The debt on December 1, 1845, was \$40,986,393. The sale of the main line of the public works had been left the year before to the decision of the people, and at the October election they had voted in favor of selling. The people were quite willing to sell the public works for other reasons than a desire to lighten their burden of taxes. Many were now heartily sick of the State's attempt to undertake the transportation business, and were eager for its retirement. They clearly saw that if it continued, wastefulness, fraud, and demoralization would be the inevitable accompaniments. Last of all, there was a large class who had been conducting business on the canals with great profit to themselves and who wished to gain still more by becoming the owners.

Unable to sell them for the price fixed, it was reduced by the legislature. The Beaver division of the Wyoming line on the North Branch, forty-three miles, and the French creek feeder, costing in the aggregate \$1,222,927, were given away in 1845, the closing of the first chapter in this miserable business. Meanwhile the committee of ways and means of the House made a final effort to stay the tide and convince the people that the retention of the public works was, after all, desirable. The committee asserted that at the time of passing the act authorizing the sale of the main line, "the public mind was very much excited in consequence of the State debt and the contemplated increase of taxation." The committee sought to show that the works were improving in value and would ultimately pay. Besides, they would then pass into the control of a private corporation, and these "have generally been considered obnoxious to the public weal; their history is one of entire selfishness, monopolizing in their design and results; they always interfere with the action of individual enterprise, concentrating large amounts of capital, which necessarily oper-

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ates injuriously to the interest of men with small means." After describing the powerful results of permitting a corporation to own the works, then dabbling and interference in politics, they closed thus: "The Commonwealth has been infested with individuals who have been chiefly instrumental in creating this oppressive debt, and have made princely fortunes by the operation; and now they are willing to relieve the people again by taking the improvements off their hands, provided they can get them at their own price. This would be a humiliating state of affairs, and a result that all should deplore. But if they are realized by a vote of the people sanctioning a sale of the main line, it will nevertheless be lamentable; but as there is no other tribunal to which an appeal can be taken, it must be submitted to." But the people had had enough, and, though the retirement of the State from the transportation business was not to come for several years, the system was doomed, and all knew it, and every well-wisher of the State felt somewhat relieved. During Governor Porter's administration, "not a single dollar had been appropriated and paid towards the commencement of any new work whatever;" and the thoughts of all except those who were fattening on the system were bent on extricating the State from the public works and from the disgrace with which they had covered it.

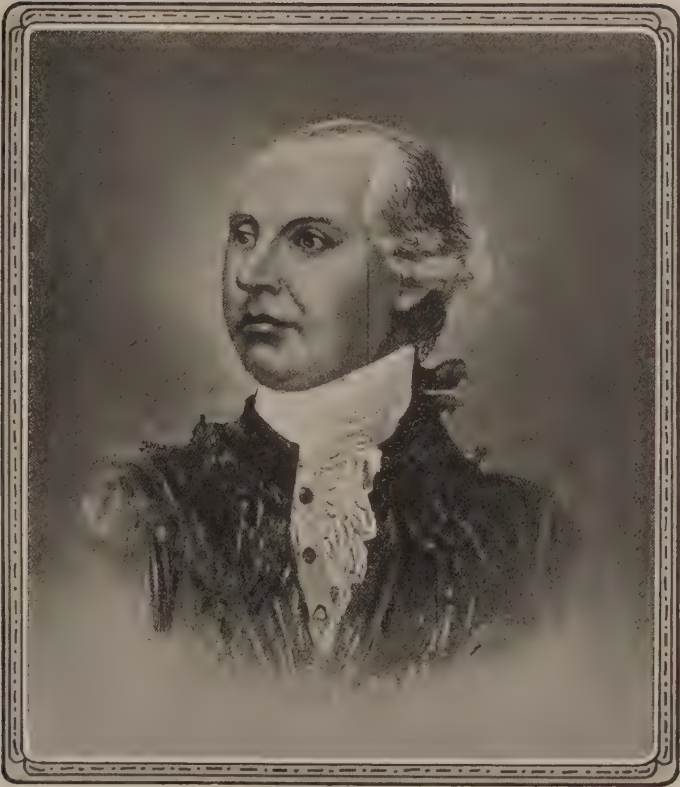
During Governor Porter's administration serious riots occurred in Philadelphia, due to the hostility to the foreign element in the city. A new party had arisen, the Native American, which insisted that only native-born citizens should be elected to public office. This new party held a public meeting in Kensington on May 3, 1844. This was right in the midst of the Irish Catholic district, and the latter attacked the meeting in large force. A second meeting was held there on May 6, when the Irish renewed the attack with bricks and firearms. One American was killed and several were wounded. The next day the Natives held an indignation meeting in Independence square. A number of speakers exhorted to peace, but to no avail. The crowd adjourned

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to Kensington, where a serious conflict ensued, in which a number were killed and others wounded. Although the militia under General Cadwalader appeared in the evening, the rioting continued. Several Catholic churches were burned and other valuable property was destroyed. On May 10, Governor Porter arrived and large bodies of soldiers were called into service, but not until damage had been done amounting to over one hundred thousand dollars.

This spirit of hostility smouldered only to break forth again in July. On the fifth of this month, it was discovered that arms had been taken into the Church of St. Philip de Neri, in Southwark. The people gathered in a large multitude about the church and demanded a search, and a supply of muskets, powder, and cartridges was found in it. The militia was again called forth to protect the place, but the mob could not be controlled. The church was secretly entered at night and fired, but the fire was extinguished. The crowd procured firearms and at one time were in possession of three cannon, which they used both against private citizens and the militia with deadly effect. On July 8, Governor Porter was assured that if the soldiers were withdrawn the civil authorities could maintain peace. This line of action was followed and order was restored.

Among the events of Porter's administration an important reform is worthy of mention. In 1842 the Assembly abolished imprisonment for debt. Before that time a debtor who had a judgment rendered against him for more than \$5.33 had a right to a stay of execution. An act of the legislature then attempted to secure to his family the articles of absolute household necessity by exempting them from execution, a provision which was very often defeated by the right of another creditor to take the person of the father of a family in execution for a sum less than \$5.33, upon obtaining judgment. The family of the unfortunate debtor was then compelled to a forced sale of the articles intended to be protected from execution in order to relieve the person of the



Richard Butler

Lieutenant-colonel in Revolutionary army and colonel of the 9th Pennsylvania regiment at close of the war; major-general in St. Clair's expedition against the Indians, 1791

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debtor, and thus there was a power directly to produce a sale of those articles of essential household convenience which the legislature designed to defend upon motives of humanity. In those thickly populated districts where pawn brokers do exist they were applied to to advance money upon clothes, beds, furniture, tools, and kitchen furniture, in order to enable the unfortunate debtor to pay the cost of a trifling suit before a magistrate and avoid a place which should be the receptacle of guilty men and criminals. For the evidence of such we need only recur to the great variety of articles which were commonly advertised for sale at those establishments. These were wrenched from the distress of the poor man's family, to support and supply the means of existence which that odious and cruel law afforded to a magistracy, oppressively numerous, and in many instances too eager to gain advantage of the existence of a fee bill to permit anything to escape that would permit them to charge a fee. In the rural districts these evils were not so frequent.

In Philadelphia, for three years prior to 1830, three thousand and one persons were imprisoned for debt. The poorest debtor only received one five cent loaf daily from the county and had the use of two blankets, some of which were not of sufficient length. The loaf, which ought to have weighed one and one-half pounds, was often deficient in weight. The poorest debtor had nothing but bread, water, blankets, room, fire. As the laws were then, honesty of intention and purpose had no preference over roguery. The rich villain who was a rogue in a transaction of thousands of dollars could then, as now, obtain bail, appeal, or escape; but the poor man, for a debt of one dollar, was dragged before a magistrate, no bail, thence to prison, there to mingle with those initiated in various tricks of fraud, to return upon society with the impressions there received and, at the least, a disgraced man, smarting with the wrongs inflicted upon him by his fellow men.

Governor Porter's administration had been stormy from the beginning to the end—a long, incessant conflict with the legis-

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lature. He resisted the encroachments of the legislative branch of the government on his own prerogatives. He regarded his own office as an independent, co-ordinate branch of the government, and in a message to the Senate he said: "Claiming to understand and respect the rights of the senate, I shall studiously avoid any infringement upon them; and claiming also to understand the rights and duties of the executive under the constitution, I shall take special care that they shall not be invaded and will maintain them to the best of my abilities. Independence and harmony of action only can be preserved by strictly observing the rights of all departments of the government." Governor Porter's whole administration was guided by this spirit of firmness and determination. On this account, he frequently made political enemies; indeed, his opponents even went so far as to attempt to impeach him. In 1842, a specific charge was made that he had used his influence to secure the passage of the resumption act of 1840. A legislative committee was appointed to examine into the charges, and after hearing much evidence the whole proceedings were dropped. Political passion finally subsided, and when the Governor retired from office it was with the proud consciousness that he had served the State courageously and well.

CHAPTER XV.

SHUNK'S AND JOHNSTON'S ADMINISTRATIONS—1845-1852

G OVERNOR PORTER was succeeded by Francis Rawn Shunk, whose father had emigrated from the Palatinate in 1715, and finally settled at the Trappe in Montgomery county, Pennsylvania. Here Francis was born on Aug. 7, 1788. As his parents were very poor, he was unable to obtain from the schools even the rudiments of an education. When not more than ten years of age, he was regularly employed on the farms in his neighborhood. By his untiring industry, however, he acquired much knowledge, and he became a teacher when only fifteen years old. Between 1803 and 1812, he was employed during the winter months as master of the village school, while during the summer he continued to labor on the farm. In 1812 he was appointed to a clerkship in the surveyor-general's office, and while thus employed he had an opportunity to take up the study of law with Thomas Elder, Esq., of Harrisburg. In 1814 Shunk enlisted in the defence of the city of Baltimore, and on returning was appointed clerk of the House of Representatives of Pennsylvania. He filled this office for a number of years with great ability, and afterwards became secretary of the board of canal commissioners. In 1838 Governor Porter appointed him secretary of state, and on retiring from this office he began the practice of law in Pittsburgh.

In 1844, Shunk was elected Governor of the Commonwealth, and his term of office almost coincides with that of James K. Polk

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as President of the United States. In the second year of his governorship, the United States became involved in war with Mexico. The President was authorized to employ the militia and to call into service fifty thousand volunteers. He requested Governor Shunk to have six regiments of volunteer infantry enrolled, and held in readiness for muster into the service of the United States. The term of enlistment was for a year, or until the end of the war. The feeling of patriotism ran high; for within thirty days, ninety companies, or sufficient to fill nine regiments, offered to serve. On December 15, 1846, the first regiment of volunteers was organized at Pittsburg; while on January 5, 1847, the second regiment was ordered to rendezvous at the same place. These regiments were commanded respectively by Colonels Wynkoop and Geary. The State afterwards mustered several additional companies, and all the troops that went to the front made a valiant record in the hard fought battles from Vera Cruz to the City of Mexico.

During Shunk's administration, the economic condition of the State was greatly improved. The financial storm had passed by and men were recovering from their reverses, while everywhere prosperity was visible. The State was paying interest on its debt, and the revenue was sufficient to meet all expenditures. The failure to sell the public works on the conditions prescribed by the legislature led to their continued ownership and management by the State. The income from this source improved somewhat; but not much, and public sentiment was apparently in favor of continuing the experiment. The banks were clamoring for more charters; but the Governor was steadfastly set on limiting the number. He did, however, consider the expediency of establishing a system of free banking,¹ which was in operation in some of the States. One great merit of this system was that it prevented special legislative grants. After examining every feature of this free banking plan, the Governor opposed it, and he

¹See message of 1848, p. 9.

Shunk's and Johnston's Administrations

set forth his objections as follows: "If this system of converting State stock into banking capital, and hypothecating it as security for the payment of bank issues were not a delusion, mortgages on real estate might be used for the same purpose, which would afford an equal, if not a better security for the payment of the notes, and by this process the whole value of the real estate of the country might be converted into banking capital and the people into a nation of bankers. But suppose all real estate were thus set afloat, made negotiable, would it not show the whole scheme illusory and unsound?"

The legislature still continued to grant charters, and the Governor to sign them, afterwards condemning himself for so doing. His remarks, in view of the subsequent development of corporate life are interesting reading: "While all the great departments of business in the Commonwealth are prosperously conducted, under free and equal competition, there are yet some men who seem to stand still while the world is going on around them and who cherish the antiquated notion that the timid, contracted and selfish aggregation of wealth under the protection of corporate privileges is preferable for the transaction of business to the free, ardent and bounding capabilities of individual enterprise—a power which since William Penn arrived on these shores, in 1682, has changed an immense wilderness into fruitful fields and has, in this march of civilization and improvement, provided for the wants, the comforts, the education and refinement of two million of free people. What have corporations done towards this great achievement? Where are the trophies of their generous spirit? They are behind the times; they belong to an age that is past. The time was in other countries, when all the rights of the people were usurped by despotic governments; when a grant by the king to a portion of his subjects, of corporate privileges to carry on trade, or for municipal purposes, was a partial enfranchisement, and made the means of resuming some of their civil rights. In this age and country, under our free system, where the people are

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sovereign, to grant special privileges is an inversion of the order of things. It is not to restore, but to take away from the people their common rights and give them to a few."¹

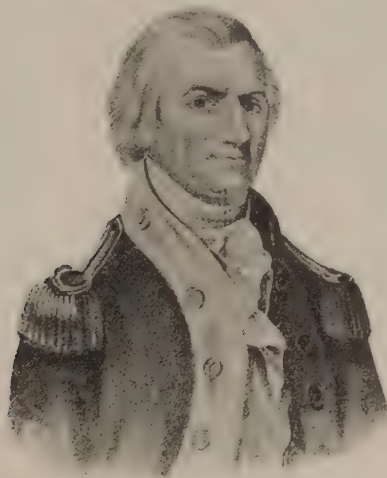
Governor Shunk opposed, therefore, all accumulations of wealth in the hands of the few, as well as all special legislation for the privileged class. It was this sense of justice which led him to urge the enactment of laws extending certain rights to married women. Before that time, the State had been negligent in this matter. By the then existing laws, the husband on marriage had the power to become the absolute owner of the personal estate of his wife. When he thus acquired the ownership, he might dispose of it by will at his death to whom he pleased. The wife had no control of her own personal estate, or that of her husband during her marriage, and at her death she had no power to dispose of even that which was her own, by will; but the whole belonged to her husband. He might encumber his estate by contracting debts without the consent of his wife, and upon his dying intestate, she was only entitled to the one-third of the personal estate, and a life estate in one-third of the real estate, after the payment of all the debts. If the estate was not sufficient to the payment of the debts, she lost all. Governor Shunk strongly urged a modification in these laws, so as to give married women the rights of property. He said: "The liberal and enlightened spirit of the age has developed and secured the rights of man, and has redeemed woman and elevated her from the degrading position she occupied, and placed her where she always should have been, at the side of her husband, his equal in rank and dignity. Then why should her rights of property still be to a great extent controlled by the contracted enactments of an age when her husband was her lord, and he might chastise her by law, as if she were a servant." Following the Governor's advice, the legislature, in 1848, enacted the first law extending to women the rights of property. Strangely enough, however, these rights were frit-

¹Message 1848, p. 9.

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tered away by several decisions of the Supreme Court, which greatly destroyed the efficiency of the original enactment.

Governor Shunk also favored a change in the law relating to the separation of married persons. From the beginning of the



A. A. Lincoln

Physician; soldier; scholar; president Continental Congress, 1787; governor Northwest Territory, 1789-1802. Reproduced especially for this work from print in possession of Mrs. William M. Darlington

Commonwealth it had been the policy to provide by law for the dissolution of the marriage contract for other causes than adultery. These causes were enumerated in an act passed in 1815. They embraced a wide range and seemed to provide for all the

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grievances that might arise "in this interesting relation," requiring legal interposition. During the first period of ten years after passing this law, sixteen divorces were granted by the legislature, forty-two during the next similar period, and ninety during the third. Governor Shunk remarked in his message of 1847: "Special acts of the legislature for disturbing the contract between husband and wife are calculated to arrest the attention of every good citizen, when it is remembered that the disregard of the marriage vows, and the facilities for releasing parties from their obligations are strong indications of degeneracy in public virtue and public morals. The Governor believed that the special legislative divorce had a dangerous tendency, and should be exercised, if at all, in cases only "of extreme hardship and unquestionable propriety." The law was finally changed, and the legislature relieved from granting divorces. Since then, the courts alone have been entrusted with this power.

From time to time the Governors had remarked on the evil tendency of special legislation; but none had described the evils so plainly as Shunk. He said that the demand for special legislation had increased to an alarming extent, which no industry of the Assembly would be able within the limits of an ordinary session to justify if the practice was continued. This evil had grown from small beginnings. At first the legislature had time enough to consider the merits of every subject presented; but with the increase in population and wealth, and the expansion of industry, the subjects of legislation rapidly multiplied. There was need, therefore, of enacting general laws that would cover all matters worthy of attention; or else many of them would pass unnoticed. To prevent the latter result, arrangements of various kinds are made to secure their adoption. Thousands of meritorious bills have been enacted; but by unworthy means, because they were improperly opposed or otherwise endangered. The constant struggle for charters is perhaps the best illustration. Most of these were without any objectionable features, and would

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be passed by a modern legislature without opposition. But in the earlier days there were several strong objections to them—the chief one, perhaps, because they were regarded as monopolies in the old sense of the term. When they ceased to possess this character, and were nothing more than mere aggregations of men with limited pecuniary responsibilities, the legislature would have greatly lessened its labors had it enacted general laws permitting individuals to be incorporated at an earlier period. By so doing, the work of legislation would have been expedited and bargains among law makers would have been fewer. Much trouble would have been wholly averted by the enactment of general laws, thus greatly abridging the quantity of legislation. The slowness in evolving general laws from special ones, when the reasons for doing this were so strong, is a most singular thing in the history of American legislation. At no time would any one have opposed such laws, because they were of general application for the public welfare and not for any special time or class. But they were not to be delayed much longer. Governor Shunk expressed an idea that had grounded itself at last in the minds of the people, and before long would be embodied in legal form and endowed with a real practical life.

In 1847, Governor Shunk was re-elected for a second term. Early in the spring of 1848, he was attacked with a pulmonary trouble which assumed a fatal character. On the morning of July 9 he had a severe hemorrhage from the lungs. On that day, feeling that his days were numbered, he wrote the following letter of resignation:

“TO THE PEOPLE OF PENNSYLVANIA:

“It having pleased Divine Providence to deprive me of the strength necessary to the further discharge of the duties of your Chief Magistrate, and to lay me on a bed of sickness, from which I am admonished by my physicians, and my own increasing debility, I may, in all human probability, never rise, I have resolved,

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upon mature reflection, under a conviction of duty, on this day, to restore to you the trust with which your suffrages have clothed me, in order that you may avail yourselves of the provision of the Constitution to choose a successor at the next general election. I, therefore, hereby resign the office of Governor of the Commonwealth of Pennsylvania, and direct this, my resignation, to be filed in the office of the Secretary of the Commonwealth.

"In taking leave of you under circumstances so solemn, accept my gratitude for the confidence you have reposed in me. My prayer is, that peace, virtue, intelligence, and religion may pervade all your borders—that the free institutions you have inherited from your ancestors may remain unimpaired till the latest posterity—that the same kind Providence, which has already so signally blessed you, may conduct you to a still higher state of individual and social happiness—and when the world shall close upon you, as I feel it is soon about to close upon me, that you may enjoy the consolations of the Christian's faith, and be gathered, without a wanderer lost, into the fold of the Great Shepherd above.

"FRANCIS R. SHUNK."

"Harrisburg, July 9, 1848."

A few days later Francis Shunk died, and his body was laid to rest in the old Lutheran burying ground at the Trappe, in the midst of the scenes where he had spent his youthful days of toil. He was succeeded by William Freame Johnston, President of the Senate of Pennsylvania. By a provision of the constitution of 1838 if any vacancy occur by death, or otherwise, in the office of Governor, the President of the Senate becomes acting Governor. This constitution also provided that if the vacancy occurs three months before the general fall election, the acting Governor shall order a new election; but "the writ shall issue at least three calendar months before the election." If a notice of three full months could not be given, then the election must be postponed

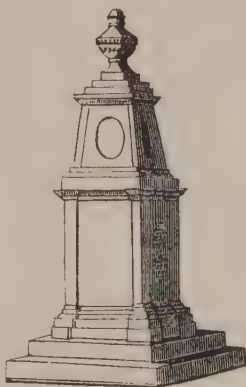
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for a year. Governor Shunk resigned on the last day possible, and Mr. Johnston did not assume authority until July 26. Therefore, by a strict construction of the constitution, the new election must go over for a year. Nevertheless, Mr. Johnston ordered an immediate election on the second Tuesday of October. He explained his motives for this course of action in a message to the legislature. He wished to avoid all charges of selfishness, and he believed it the safest plan to submit the whole matter to the decision of the people. The result of the election was the choice of Mr. Johnston for the full term of three years.

The new Governor was born at Greensburg, Westmoreland county, November 29, 1808. His father was a native of Scotland, migrating to America in 1796. Young Johnston received a common school and academic education; after which he studied law and was admitted to the bar in 1829. He soon afterwards removed to Armstrong county,

where he engaged in the practice of law, taking a leading place in his profession. He served as district attorney of the county, and was a member of the lower House of the legislature for several years. In 1847 Johnston was elected to the State Senate and became president of that body. This placed him in the line of succession to Governor Shunk, on the latter's resignation, July 9, 1848.

One of the first subjects to command Governor Johnston's attention was that of the material interests of the State. He realized that the Commonwealth possessed unrivalled mineral and agricultural wealth, and in his opinion the best instrument to develop this wealth was a protective tariff. He defended this pol-



Arthur St. Clair Monument
Greensburg

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icy in his first message, as follows: "The price of labor is regulated by its demand and the value of the article it produces. Hence, whatever increases profitable labor is substantially beneficial to the working classes and affords them the means of comfort, the delights of rational enjoyment, and the opportunity of exalting their condition, and with performing with safety to the country the duties of citizens. The manufacturer, if he be sustained in his enterprise, produces this result by opening to the laborer a new source of employment. It is frequently urged that the system of protection to domestic industry is of more interest to the manufacturer than to the laborer, as it enables him to dispose of his fabrics for a higher price, and to realize a better profit on his capital; but is not the capital of the laborer also involved in the fabric, and also does he not receive a reward in proportion to the value of the article? Let it be remembered also, that his daily bread, the wants of his family, the education of his children, all depend upon the success of the establishment at which he is employed, and the objection can have little weight." At the time when this message was written, the tariff of 1846 was still in operation. Framed mainly for revenue, it discriminated against protection. Governor Johnston realized that our great resources needed protection, and he frequently referred to the subject, always showing a familiar knowledge of economic literature.

During Johnston's administration steps were taken to publish the records of the State. The papers from early colonial times remained in single manuscript copy, and they were in constant danger of being destroyed by fire. The Governor, in his message of 1851, referred to the subject as follows: "My attention has been called to the large body of original papers in the State Department, connected with the colonial and revolutionary history of the State, and their extremely exposed and perishing condition. These records are worth preservation, as containing authentic information of the action of our fathers in the struggle for national existence. In the Capital of Pennsylvania, and with

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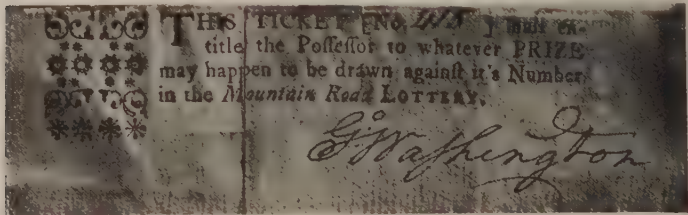
the sympathies of her patriotic people, was independence nurtured and declared. Her soldiers were most numerous around the standard of the nation, and there were more battlefields on her soil than in the same area elsewhere. Every memorial of those days of devotion and trial should be faithfully preserved. There exists a single copy in manuscript of the minutes of the revolutionary Executive Council, a document by far too valuable to remain longer within the reach of accident or mutilation. It would be gratifying to a large body of our constituents if the Assembly would authorize the employment of a competent gentleman to select and arrange for publication these memorials of an interesting epoch in the history of the Commonwealth." Following the Governor's recommendation, the legislature passed an act authorizing the appointment of a competent person to select and arrange for the publication of these valuable documents. Under the supervision of Samuel Hazard, twenty-eight volumes of Colonial Records and Pennsylvania Archives were published. The work has been continued in recent years, and only a few months ago the fourth series of the Archives appeared from the press.

As early as 1844, attention was directed to the neglected condition of the insane poor of the State; while two years later the legislature passed an act providing for an asylum within ten miles from the capital. A farm was purchased adjoining Harrisburg, and in 1848 the erection of a suitable building was commenced. This philanthropic movement was warmly encouraged by the Governor and valuable assistance was also rendered by Miss Dorothy L. Dix.

It was not until the administration of Governor Johnston that the public school system became general throughout the State. This was accomplished by an act of the legislature in 1848, which read as follows: "That the common school system, from and after the passage of this act, shall be deemed, held and taken to be adopted by the several school districts in this Commonwealth, and that the school directors of districts from which the undrawn

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appropriations were taken, in 1844, shall levy and assess a tax to enable them to receive the State appropriation, and be entitled to a deduction of twenty-five per cent. of all moneys paid into the county treasury for State purposes for two years." In 1848, when this act was passed, there were still nearly two hundred non-accepting school districts; but within two years the number had been reduced to one hundred. Wickersham states, however, that an inquiry made in 1868 "revealed the astonishing fact that there were still twenty-three districts in the State, with about six thousand children, that had no common schools in operation." But the system had taken firm hold and was bound to grow. The



Old Lottery Ticket, showing Washington's Signature

grading of schools went on in the villages and towns, and some of the cities had already established flourishing high schools. In 1852, at the close of Johnston's administration, there were 9,699 schools in operation, with an attendance of 480,778 pupils and 11,713 teachers. The tax amounted to \$982,196.22, and the expenses had reached \$1,116,919.25. The material growth of the system was rapid and its progress forms one of the most interesting chapters in the history of the Commonwealth.

In 1849 a sinking fund for paying the State debt was established. The secretary of the Commonwealth, auditor-general and State treasurer were created a board to apply all the income derived from the taxes on collateral inheritances, banks, railroads, etc. Many persons counted on some magical results from the

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operation of such a fund. There was virtue, indeed, in it, which consisted of the appropriation of a part of the public revenues to paying the debt. If the law was regarded, and the funds applied and no more debt created, then in time the sinking fund would effect a discharge of the debt.

Excitement over the Fugitive Slave Law ran high during Johnston's administration. The Governor was a strong opponent of slavery, and much space was devoted to the subject in his first message. Among other things he said: "While the compromises of the constitution should be maintained in good faith towards our Southern brethren it is our duty to see that they are preserved with equal fidelity to ourselves. No encroachments, however sanctioned by use, should be acknowledged as precedents for further wrongs against the interests, prosperity, and happiness of the non-slaveholding States of the Union. If slavery be, in itself, an infraction of human rights—if it be directly opposed to the enlightened spirit of our free institutions—if it destroy the equality of power in the general government, by enlarging, where it exists, the constitutional representation—if it possess a direct or indirect influence against Northern and Western policy and interests, by promoting a system of laws destructive of domestic industry, and vitally affecting free labor—if it retard the natural growth of population and improvement, by the appropriation of large tracts of land for the benefit of the few to the injury of the many—if it be in open defiance of the spirit of the age, the march of rational truth, and the enlightened policy of mankind—it is time to arrest its further progress. These, it is believed, are the settled convictions of our citizens, and their determination to maintain them is unalterable."

The adoption of the Fugitive Slave Law of 1850 aroused intense excitement throughout the State. While Governor Johnston was a bitter opponent of slavery, he believed that the national authority must be respected, and that fugitive slaves should be returned to their masters. He regarded the law as vicious

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and unjust; but held that it should be obeyed until repealed from the statute books. About a year after the passage of the Fugitive Slave Law a serious riot occurred on Pennsylvania soil, as the result of an effort made by a party of slave holders to recover some fugitive negroes. It appears that in September, 1851, a number of colored men had taken refuge near Christiana, Lancaster county, and a bloody battle ensued when seven of them were about to be arrested as fugitive slaves. The slave hunters visited the neighborhood of Christiana early in the morning of September the eleventh. The party consisted of Edward Gorsuch, his nephew, Dr. Pearce, Nicholas Hutchins, and others, all from Maryland, and Henry Kline, a slave-catching constable from Philadelphia. At daybreak they were discovered lying in ambush near the house of William Parker, a colored man, and an alarm was sounded. The party approached the house and a demand was made for the slaves. The colored people of the neighborhood soon gathered, armed with guns, axes and clubs. There were threats made on both sides, and the parleying continued for an hour and a half. Castner Hanway and Elijah Lewis, members of the Society of Friends, residing in the neighborhood, then visited the scene of excitement, the former on horseback. Kline, the constable, read warrants to them demanding their assistance in capturing the slaves. Of course, they refused, and while they were talking, Parker and several other colored men came to the door. Gorsuch thought they intended to escape, and drawing his revolver, called his men into line. Parker made some offensive remarks to Gorsuch, when a revolver was fired and the fighting began in earnest. Gorsuch was killed, and his son was seriously wounded. The other slave hunters and officers then fled, pursued by the negroes. Several colored men were wounded, but none severely. Immediately after the riot the United States marshal from Philadelphia arrived at Christiana with a detachment of marines to keep the peace. At the same time, about eighty police scoured the country, arresting many persons

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on suspicion of having been involved in the fight. Castner Hanway and Elijah Lewis, who refused to assist in capturing the slaves, were arrested upon the charge of treason. Thirty-five negroes were arrested with them for engaging in the riot. They were all taken to Philadelphia, and confined in Moyamensing prison for ninety-seven days. Hanway was tried in the Circuit Court of the United States at Philadelphia in November, 1851, before Judges Grier and Kane. The jury returned a verdict of "not guilty," after which the charges against the other defendants were dropped. The prisoners were then handed over to the authorities of Lancaster county, there to answer the charges of riot and murder. But when the cases came up for trial in that county, the grand jury ignored the bills and the accused parties were released. In referring to these trials, Still, in his "History of the Underground Railroad," says: "Especially were slaveholders taught the wholesome lesson, that the Fugitive Slave Law was no guarantee against 'red hot shot,' nor the charges of U. S. Judges and the findings of Grand Juries, together with the superior learning of counsel from slave-holding Maryland, any guarantee that 'traitors' would be hung. In every respect, the Underground Railroad made capital by the treason. Slaveholders from Maryland especially were far less disposed to hunt their runaway property than they had hitherto been. The Deputy Marshal likewise considered the business of catching slaves very unsafe."

In 1851 Johnston was nominated for a second term. His Democratic opponent was William Bigler. The campaign was unusually spirited, and was carried on from midsummer until the day of election in October. State issues were forgotten; for the larger questions of the Fugitive Slave Law and slavery in the territories were demanding universal attention. Bigler was elected by a good majority, and Johnston on retiring from office engaged in several business enterprises.

CHAPTER XVI.

BIGLER'S, POLLOCK'S, AND PACKER'S ADMINISTRATIONS—

1852-1861

THE new Governor, William Bigler, was a good representative of the sturdy German element, which has furnished so many able men for positions of trust and honor in the State. He was born in Cumberland county, Pennsylvania, in October, 1813. Soon after this his parents removed to Mercer county, where the family battled against poverty, depending for their livelihood upon the scanty returns from a small farm. William Bigler received only a common school education, after which he learned the printing trade in the office of the "Democrat," published at Bellefonte. After finishing his apprenticeship, in 1833, he removed to Clearfield and started a newspaper, the "Clearfield Democrat." This venture naturally led him into politics, for he was a staunch admirer of Andrew Jackson, and wrote many editorials praising his virtues. In 1836 he was married to Maria Reed, daughter of Alexander Reed, of Clearfield. Soon after this event he sold his newspaper and became a partner with his father-in-law in the lumber business. His first political venture was in 1841, when he was elected to the State Senate by a large majority. In 1844 he was re-elected for a second term, and for a while was president of that body. He entered the Senate at a distracted time, and was fearless in advocating reforms. He delivered a powerful speech on the resumption of specie payments, which called forth the remark from an older colleague: "Young man,

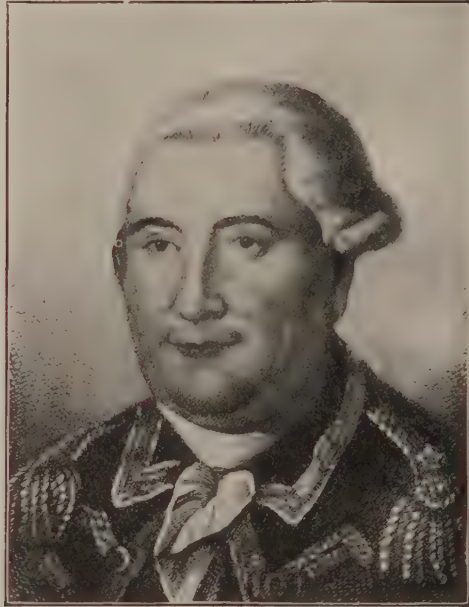
Bigler, Pollock and Packer

that speech will make you Governor of Pennsylvania, if you behave yourself well hereafter." This prediction came true in 1851, when he was nominated and elected on the Democratic ticket.

Bigler's administration is marked with stronger features than any one of its immediate predecessors. Once more the sale of the canals became a prominent question. Since the failure to sell the canals during Porter's administration, the State had been operating them, but receiving little more than the expenditures. Each year the old story was repeated that the income was disappointingly small in consequence of the freshets or other mishaps, and that the receipts next year would be much larger. The people now saw more clearly than ever that the State had plunged into canal building without any thought of the consequences. The North Branch was not yet finished; still the Governor urged its completion as soon as funds could be obtained. It was argued that the canal was so nearly done that it ought to be completed to save what had been invested; and then, too, it was believed that the canal would be used for the transportation of vast quantities of coal and other products. The management of the canals on the part of the commissioners was not always marked with wisdom. In 1851 a statute had been passed forbidding the creation of debts by the officers of the public works, requiring the payment of cash for all labor and material, and monthly returns of all receipts and expenditures. But the first year after this law had been enacted the Governor sadly remarked: "The administration of this law, I regret to say, has not been as efficient as it should be. Its failure was owing to some extent to a deficiency in the appropriations and to other difficulties incident to the introduction of a new system of business. This and other reforms so wisely commenced within a short period, with such additional retrenchments as experience may have indicated, will doubtless be rigidly carried out in the future by the officers controlling that part of the public affairs." The next year the Governor remarked: "I need not discuss the consequences of the custom of making debts on the public

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works; its errors are too palpable to need refutation by argument. In addition to the opportunity it afforded for extortion from the State, if not actual fraud upon the treasury, the idea that officers



The Chevalier de la Luzerne

Minister from France to the United States, 1779-1783; after whom Luzerne County was named. Reproduced for this work from an engraving in possession of the Wyoming Historical and Geological Society

for the time being should be allowed to scatter the credit of the Commonwealth broadcast, to be redeemed at some future period by their successors, is a monstrosity in the economy of public affairs."

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Governor Bigler frequently urged the payment of the public debt as one of the greatest needs of the time. There was not much reduction, however, during his administration, although a surplus of one million dollars had been thus applied; for nearly as much had been expended on the North Branch Canal. In 1854 the Governor fully considered the desirability of selling the public works. For years the people had been discussing the matter; in truth, ever since the former attempt to sell, the question had been agitated. But now the Governor's strong utterance on the subject led to a consideration by a committee, who, unbiased apparently by any interest, told far more truth than had ever come to light. The legislature now took action and voted to sell the main line for \$10,000,000. But there was no purchaser at this price, and Governor Bigler retired from office with the State still in possession of its public works.

During Governor Bigler's administration the evils of special legislation were set forth in all his messages. In 1849 a general law to encourage manufacturing corporations was passed; yet during the next six years not a dozen companies had organized under it. They still preferred to go to the legislature and get special charters. In the legislative sessions of 1852 and 1853 much time was consumed in the consideration of special acts to incorporate mining companies. A general law on this subject had been passed, and although it was very favorable in its terms, but a single application was made under it for mining purposes. Among other evils of legislation that had developed was the system of "log-rolling," or combining pernicious measures with good ones into a single general bill. By this means many vicious laws were passed. Governor Bigler referred to this evil in his message of 1854, as follows: "After much reflection on the magnitude of this evil—its vexatious inroads upon private rights and its demoralizing tendency upon the interests of the people, as upon the more elevated purposes of legislation, I have determined to coöperate with the General Assembly in the application of the

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most efficient means which their wisdom may devise for its removal; but in the meantime, as a restraining part of the law-making power, I must beg to be indulged in claiming the privilege of considering each subject of legislation separately, and on its merits, as contemplated by the spirit of the Constitution. Henceforth, therefore, bills containing a variety of subjects of legislation, dissimilar in their character and purposes, cannot receive the sanction of the present executive." This led to an immediate reform in the character of legislation. A bill was passed requiring the subject-matter of each act to be fully stated in its title.

In 1854 the Pennsylvania railroad, from Harrisburg to Pittsburg, was completed, thus forming a line of communication between the East and the West, and aiding powerfully in the development of the resources of the State. About the same time, the North Branch canal was also completed, although work on it had been discontinued for more than ten years.

Governor Bigler constantly used all the influence of his administration in behalf of the public schools. In 1854 a bill was prepared for the revision of the school laws, and when the measure was passed the Governor promptly signed it, notwithstanding the unfavorable comments of the press and the opposition of a large majority of the people.¹ This new law gave the school districts corporate powers; fixed the minimum school term at four months; arranged a definite course of study, and created the office of county superintendent of schools. In many respects the act of 1854 was the most important of all school legislation since the adoption of the system in 1834. But the days of opposition were not yet ended, and it required constant vigilance to prevent enemies from accomplishing their work of destruction.

In 1854 Bigler was nominated for a second term, and he at once began a vigorous campaign for reelection. Opposed to him was James Pollock, a man of rare culture and ability. In the

¹Wickersham's History of Education in Pennsylvania, p. 505.

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midst of the canvas Bigler was stricken down with sickness, and thus was unable to stir up his followers by his presence and earnestness. Pollock had allied himself with the American, or Know-Nothing party; while he was also an active leader in the Free Soil movement. Bigler had violently opposed the Know-Nothing



Anthony Wayne's Homestead

Near Paoli. Still standing. Engraved especially for this work from a negative by D. E. Brinton

party from the time of its first organization. His attitude towards the Kansas-Nebraska bill also cost him many votes. As a result, Pollock was elected Governor by a large majority, and the wave of Know-Nothingism swept a new body of men into power, many of whom had been but little known.

James Pollock, the new Governor, was born in Milton, Northumberland county, on September 11, 1810. He received the best

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educational training, preparing for college at the Milton Classical academy. In 1829 he entered the junior class of Princeton college, graduating two years later. After graduation Mr. Pollock became a student at law in the office of Samuel Hepburn at Milton. In 1833 he was admitted to the bar, and opened an office in his native town. His public career began in 1835, when he was appointed district attorney of Northumberland county. He was elected to Congress in 1844, and remained in that body until 1848. In 1850 he was appointed president-judge of the judicial district composed of Northumberland, Montour, Columbia, Lycoming and Sullivan counties. Elected Governor in 1854, he served but one term, having refused to be considered as a candidate for renomination.

Like his predecessors, Governor Pollock believed the time had long since come for the State to retire from the transportation business. In 1855 the Pennsylvania Railroad company offered to purchase the main line from Philadelphia to Pittsburg for the sum of \$7,500,000, or \$4,000,000 for the Philadelphia and Columbia railroad. But there was no authority for accepting this offer. Finally, in May, 1857, the legislature offered to sell the railroad at the above figures, and the lines were purchased by the Pennsylvania company. The sum of \$1,500,000 was paid in cash, while interest-bearing bonds were taken for the balance. Soon after this steps were taken to dispose of the other public improvements. They had been a source of expenditure for many years, and the proceeds were devoted to the payment of the public debt, thus reducing the State taxes. Governor Pollock congratulated the people on the consummation of the sale of the public improvements. Referring to the subject in his message, he said: "The propriety of separating the State from the care and control of the public works is not only evident to all who have given the subject a candid and impartial consideration, but the necessity is clearly established by the history of their construction and management. They have failed to be a source of revenue to the Commonwealth,

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and if retained by the State will require an expenditure in their repair and management largely exceeding any revenue that, under the most favorable circumstances, can be derived from them."

In the summer of 1857 a financial storm swept over the country, and Governor Pollock convened the legislature on October 6 for the purpose of offering some relief to the banks. Immediate action was necessary, as many of the banks had suspended specie payments and their charters were liable to forfeiture. The trouble began with the failure of the Ohio Title and Trust company, and continued until it had swept over the entire country. The oldest and most highly esteemed firms in Philadelphia and other parts of the State went down, and thousands of men and women were thrown out of employment. The banks were permitted to circulate their discredited notes and to pay dividends as though nothing had happened. On the other hand, the public were to blame to a certain extent. If the people had been more cautious and taken fewer bank notes, they would have suffered less. So long as they desired bank credit and were willing to pay for it, the banks accommodated them. Had they borrowed less, neither they nor the banks would have been overwhelmed in a common fate. The Governor reviewed the trouble in a message, in which he said: "Unlimited credits by corporations or individuals have and ever will be an unmitigated evil. They contribute to rash speculation, extravagant living and excessive over-trading, always sure to be followed by ruinous revulsions. The remedy, to be permanent and effectual, must accord with the natural and necessary laws of trade. The currency of a country forms no exception to those laws." The Governor then recommended a system of free banking, based on undoubted public securities and coin in such proportion to circulation and deposits as might be deemed sufficient to secure their conversion into specie on demand. This system had been introduced in New York, and was proving a great advance on any other. Thus far banking had been a confused sea of experiment from which the people had learned hardly

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anything. But relief was not far off. In the midst of the Civil war the national banking system was evolved, containing many of the best features of the free banking plans. Thus, responsible banking finally took the place of irresponsible credit, after many years filled with sad experiences in finance.

A learned man himself, Governor Pollock held broad and liberal views on education. He devoted much space in his messages to a defense of the free school system. During his administration an independent school department was organized, and the State normal schools were established. Soon after his inauguration he declared himself in favor of the county superintendency, an office just created in the law of 1854. In all his messages the Governor referred to the necessity of normal schools for the training of teachers. Finally, in 1857, an act was passed "to provide for the due training of teachers for the common schools of the State." The Governor signed this act on May 20, and immediately a normal school was organized at Millersville, and, in 1859, was officially recognized. In referring to the progress of education, the Governor spoke as follows in his message of 1857: "Our educational system is slowly but surely conquering the prejudices and gaining the confidence of the people. Under the fostering care of liberal and enlightened legislation, its ultimate triumph is certain. When the system was first introduced it was supposed that it could be perfected and forced into general and vigorous operation by the mere will of the Legislature. Experience has proved that in this, as in every other great social and moral reform, time and that consent which arises from a radical change in the public mind were required. This slow process of the acclimation of the new system to our social and moral atmosphere has been in operation for nearly twenty years, and it is now evident that the period for another effective interposition of legislative aid and authority in favor of our noble system of common schools has arrived." After 1852, the State began to show a more liberal spirit towards higher education. In 1854 the foundations of the

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present State college were laid by the establishment of a school for farmers, known as the Farmer's High school. The next year the charter of the institution was amended and the purposes of the school were set forth as follows: "The education of youth in the various branches of science, learning and practical agriculture, as they are connected with each other." Several gifts of land were offered to the State; but that of General James Irwin of 200 acres in Centre county was accepted. As much more was soon purchased, and the State began this new educational enterprise. To provide funds for erecting and equipping the buildings, the State Agricultural society gave \$11,865; the trustees raised \$25,000 by subscription, and in 1857 the legislature appropriated \$25,000, and as much more on condition that a similar amount should be contributed by individuals. This amount was raised, and on Feb. 20, 1859, the institution was opened. This school has grown into the flourishing "Pennsylvania State College" of our day, a name which it acquired in 1874.

Having declined to be a candidate for renomination, Governor Pollock retired at the end of his term to his native town and resumed the practice of law. The campaign for the governorship in 1857 was remarkably active, as there were three prominent



Anthony Wayne's Monument

In historic St. David's Episcopal church yard, near Radnor, where Wayne's bones were interred after their removal from the first grave at Erie. Reproduced for this work from a negative by D. E. Brinton

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candidates in the field. The Democrats nominated William F. Packer; the Republicans placed in the field Hon. David Wilmot, of "Proviso" fame; while the Native Americans named Hon. Isaac Hazlehurst. After a spirited campaign, Mr. Packer was elected by a majority of fourteen thousand votes over both the other candidates. The new Governor was a native of Centre county, born on April 2, 1807. After attending the country schools until the age of thirteen, he entered the office of the "Public Inquirer," at Sunbury, to learn the art of printing. He finished his apprenticeship in the office of the "Bellefonte Patriot," and in 1825 secured a clerkship in the office of the recorder of Lycoming county. The same winter he accepted a position as journeyman printer on the "Pennsylvania Intelligencer" at Harrisburg. Here he labored two years, after which, in 1827, he became a law student in the office of Joseph B. Anthony at Williamsport. Mr. Packer was never admitted to the bar, but turned his attention to journalism, purchasing an interest in the "Lycoming Gazette," Williamsport, which he held until 1836. He then founded, in connection with Messrs. Barrett and Parke, the "Keystone," a Democratic newspaper, at Harrisburg, continuing as a member of the firm until 1841. In 1842 Governor Porter appointed Mr. Packer to the office of auditor-general, which he held until the end of the term. In 1847 he was elected to the legislature and was chosen speaker of the House of Representatives. He was promoted to the State Senate in 1849, and in the Senate and House alike he took a prominent part in legislative work.

Mr. Packer was an ardent friend of James Buchanan, and labored zealously to secure his nomination for the Presidency. Mr. Buchanan was inaugurated about the time of Packer's nomination for Governor. The clouds were rapidly forming in Kansas, and the slave-holders were making a desperate effort to control the State and thus extend their sway. Buchanan had been in Washington only a few days when he received a letter from Packer, which, in view of his prophetic utterances, as well as hon-

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est advice, is worthy of a place here: "Our people," he says, "confidently expect that your administration will see that equal and exact justice shall be done to all parties—the free-State as well as the pro-slavery men—and they will be satisfied with nothing short of that. We approve of the Kansas bill; but, in God's name, let its provisions be honestly carried out; let the law be faithfully executed. Let the conduct of the public agents in Kansas not only *be* right, but let it *appear to be right*. If slavery should be instituted by, or under, a slave-holding executive, and Kansas should claim admission as a slave State, it does not require a prophet to foretell the consequences north of Mason & Dixon's line. The Democratic party, which has stood by the Constitution and the rights of the South with such unflinching fidelity, would be stricken down in the few remaining States where it is yet in the ascendancy; the balance of power would be lost; and black Republicans would rule this nation, or civil war and disunion would inevitably follow. What, then, is to be done? Will you permit me to make a suggestion? The post of honor and renown, if successfully and satisfactorily filled, at this moment in the gift of the President, is the Governorship of Kansas. Send one of the first men of the nation there—some gentleman who enjoys the confidence of the North and the South—and let him cover himself with glory by a fearless and a faithful discharge of the duties of his station. Sustain him, then, with the whole power of the government, and follow with swift vengeance any party that dares to raise a hand against the law or its prompt and faithful execution. The time for trifling is past. Bold, efficient action is required. To waver or to vacillate is to fail. Who, then, should be appointed? If General Scott would accept of the position, and if the duties are compatible with those of the military station he now holds, I answer, appoint General Winfield Scott.* He has the confidence of the nation. He is acceptable to the South, having been born and reared in Virginia; and he is not unacceptable to the North, inasmuch as he now resides there. If requested by the President,

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in view of the importance of the mission, I do not think that he would decline. However, let some such man be appointed—some man well known to the American people, and in whom they confide, and the result will be the same. All will be well. Otherwise, I tremble for the result.”

A strong partisan, yet intent on doing right, Governor Packer sought to follow in the way of his predecessors, and lift the State out of the difficulties caused by its unwise undertakings in the transportation business and experiences in banking. He referred to this subject in his message of 1859, as follows: “The ruinous losses which have fallen upon the people during the financial pressure of the past eighteen months suggest the necessity of preventing their recurrence. Although many causes may have combined to produce these disasters, it is too plain to admit of doubt that our banking system has been one of the most prominent. The value of the precious metals and the wages of labor are always affected by the abundance or scarcity of the paper medium received as a substitute for gold and silver coin. The power of the State to authorize a paper currency through the agency of the banks has been so long exercised and acknowledged throughout the Union that it is no longer an open question. But it must be acknowledged that the power has been greatly abused. The delegation of this attribute of sovereignty to a number of irresponsible corporations without proper checks to limit its exercise, and without providing any security whatever for the redemption of the issues thus authorized, has been attended with evils of the most alarming character. These corporations are practically made the exclusive judges of the amount of paper currency to be furnished to the people, and have the exclusive power to contract or expand their circulation at pleasure. Depositors and other ordinary creditors of banks need legislation for their protection. Every one who has direct dealings with these institutions, either as depositor or otherwise, enters into such engagements voluntarily for his own advantage, and may be safely left to his own vigilance

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and the ordinary remedies of the law for his protection. But the millions of people engaged in industrious pursuits, the farmer, the mechanic, the merchant and the laboring man, are under an imperious necessity to receive for their merchandise and their



The Wayne Kettle

General Anthony Wayne died in Erie in 1796 and was buried at the foot of the flagstaff at the old block house. In 1809, when Colonel Isaac Wayne came to Erie to take the bones of the general to Radnor, the body was found to be almost perfectly preserved. As Colonel Wayne drove the entire distance, it was impossible to take the whole body back, and Dr. J. C. Wallace was engaged to reduce it to a skeleton, which he did in the kettle from which the illustration was made for this work. The kettle is about three feet in diameter and fifteen inches deep, and is in the museum department of the Erie Public Library

labor the ordinary paper currency of the country. It is impossible for persons of this description to investigate the concerns of every institution whose notes are in circulation. But no investigation could save them from the losses arising from the defaults and frauds of bank officers and the insolvency of bank borrowers."

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From these recommendations at last there issued a system of free banking, with authority to issue notes based on real security deposited with the State. Nearly ninety years had been spent in finding out how to issue a safe kind of paper money, but at last the question was solved. This system was by no means perfect, but it was so much better than any other that all could rejoice over its introduction.

During Governor Packer's term the end came to the State's experiment in building and managing canals and railroads. In 1859 the Delaware division was sold for \$1,775,000, the Upper and Lower North Branch divisions for \$1,600,000 and the West Branch and Susquehanna divisions for \$500,000. The Sunbury and Erie railroad was the purchaser. Commenting on these sales, Governor Packer said: "Whatever differences of opinion may, at any time, have been entertained in regard to the propriety of the details of the legislation authorizing the sale of the main line or the branches, it can scarcely be doubted that the public welfare will, in every respect, be vastly promoted by the transfer of the management of the public works from the State to individual owners. The short experience that we have had already proves conclusively that the Commonwealth is greatly the gainer in a financial point of view, and it has equally been demonstrated that the people at large have been as well, if not better, accommodated by the change. It would, in my judgment, be a public calamity if, by the happening of any contingency, the Commonwealth should be constrained to again become the owner, and resume the management of any portion of the public improvements."

Thus the State finally closed an experiment which had been tried for thirty-five years. With the sale of the public works the functions of the government were once more reduced to their proper proportions, and the State was relieved of a burden which was becoming heavier every day.

Governor Packer was an ardent friend of popular education. One of his first duties as executive of the State was to defend the

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new school department which had just been created. He not only recommended that this department should remain separate, but that it should be "fully organized and effective." He said: "The mere care and promotion of our system of common schools, important and extensive as it obviously is, should not be the sole object of such a department. If it is true that the power to punish crime includes also the right to prevent it by providing for the proper intellectual and moral training of the people, it would seem to follow that the department charged with the latter momentous duty should also be in possession of all the resources and subjects of information calculated to shed light upon the object of its action. Hence the collection, arrangement and practical deductions from population and industrial statistics; from natural defects, such as deafness and dumbness, blindness and lunacy; from crime in its various forms and developments; together with such control over all the literary and scientific institutions in the State as shall bring their full condition into view should also belong to the same department." The Governor, therefore, urged the establishment of a department of public instruction, endowed with ample powers, so that the educational work of the State might be carried on with vigor and promptness. He also favored liberal appropriations to the normal schools, so that the teachers could be given the training they so much needed. A great deal of vicious school legislation was prevented by Governor Packer's timely vetoes. The enemies of the normal schools introduced measures at every session of the legislature which, if adopted, would have destroyed these schools. But the Governor prevented this mischief by freely using the veto power. The school system was yet in an experimental stage, and was in constant danger of special legislation. This peril threatened the schools until 1874, when the new Constitution prohibited such forms of legislation.

The angry strife in Congress over the question of slavery overshadowed all local issues in the State at that time. Governor Packer was a firm believer in the theory of popular sovereignty,

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as advocated by Stephen A. Douglas. He frequently reverted to this subject in his messages to the legislature, particularly in that of January, 1859, when he said: "During the angry feelings which this controversy has aroused the theory has been started, and insisted upon, that it will henceforward be the duty of Congress to protect slavery in the territories, if the people of the territories shall fail to do so. Such a doctrine, no matter how sanctioned or supported, will shake the very pillars of our constitutional fabric. It would compel every territory to elevate property in slaves above every other description of property, and to establish a slave code in its early municipal regulations; or else it would convert the Congress into a theater of crimination and confusion, and fill the whole country with strife. Regarding myself as fully committed to the doctrine of popular sovereignty in its broadest sense, I can never subscribe to the theory of Congressional intervention, as understood and supported by the opponents of this doctrine. A theory equally heretical has been advanced in another portion of the Union. It has been held that this government, divided into free and slave States, as it was framed by our revolutionary fathers, cannot endure—that all must become free, or all become slave. When such a doctrine shall be enforced, the Constitution will have been subverted, State sovereignty prostrated, State rights disregarded, and the liberty of the people destroyed. It should meet an indignant rebuke from every lover of his country, and the blood-bought right of the people and the States to self-government."

John Brown's raid at Harper's Ferry, in 1859, caused a popular excitement and bitter feeling in all parts of the State. But when Brown was hanged, on December 2, there were many protests of indignation. The feeling ran so high in Philadelphia that it was necessary to convey his body secretly through the city. The authorities of the Southern States began to fear for the welfare of their sons who were attending the educational institutions in Philadelphia. This led Governor Wise, of Virginia, to request the



Wayne Block House, Erie

This block house is a reproduction of the original in which General Wayne died, and stands on the site where he was first buried. From a negative made especially for this work

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young men from the South at the Philadelphia medical colleges to withdraw and finish their education in the South. Many accepted this invitation, and left at once for their homes.

The presidential campaign of 1860 was accompanied by the contest for the governorship of Pennsylvania. While the Democratic party was split on the question of the presidency, that division did not extend to local issues. The Republicans nominated Curtin for Governor; while the Democrats united in the support of Henry D. Foster. After an exciting contest, Curtin was elected by a majority of thirty-two thousand votes, while on the 6th of November Abraham Lincoln was chosen President of the United States. Following her threats, South Carolina, on December 20, passed an ordinance of secession, declaring herself to be a free and independent State. The possible dissolution of the Union caused great excitement in Pennsylvania. All eyes were upon this State on account of her geographical position, separated from the slave States merely by an imaginary line. Thus, all parties looked to Pennsylvania to use her great power and influence in averting an open conflict.

Governor Packer's last message was sent to the legislature January 2d, 1861, and a few days afterward he retired from office in favor of Governor Curtin. In that message the Governor referred briefly to the general condition and affairs of the Commonwealth, and called attention to the trouble with certain railroad companies which had purchased portions of the system of public works and the difficulty in collecting the moneys due therefor; also referred to the educational system then in operation under existing laws, and its gradual outspreading and increasing efficiency; also called attention to the fact that the last preceding legislature had passed a free banking act, thus making a radical change for the better in the State financial system; and he suggested, in view of the fact that there had been a rapid increase in the number of private banks, that they be placed under proper legislative restriction.

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But the one subject which appears to have caused the greatest anxiety in the executive mind, and evidently created the gravest apprehension among people of the entire State, was the extraordinary and alarming condition of national affairs, which served to demand immediate attention both in the State and the Federal legislatures. On the 20th day of December last, says the Governor on this subject, the convention of South Carolina by unanimous vote declared "that the union now subsisting between South Carolina and the other States, under the name of the United States of America, is hereby dissolved," and the action already taken in several other southern States indicates an intention to follow the example.

Speaking still more directly to the subject which then was uppermost in the public mind, the Governor said: Pennsylvania is included in the list of States that are charged with having refused compliance with that mandate of the constitution of the United States which declares that no person held to service or labor in one State, under the laws thereof, escaping into another, shall, in consequence of any law or regulation therein, be discharged with such service or labor, but shall be delivered up, on claim by the party to whom such service or labor may be due.

The imputation of refusal on the part of Pennsylvania to comply with the requirements of the Federal fugitive slave laws, Governor Packer took occasion to deny with some warmth, and he asserted that this State had been almost invariably influenced by a proper appreciation of her own obligations and a high regard for the rights, the feelings and the interests of her sister States. Briefly the executive reviewed the various enactments of the State legislature on the question of slavery from 1780, when the first act was passed for the gradual abolition of the institution of slavery within her borders. The first act of Congress providing for the rendition of fugitives from justice or labor was passed in 1793, and originated in the refusal of the Governor of Virginia to deliver up on the requisition of the Governor of Pennsylvania

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three persons who had been indicted for kidnapping a negro and carrying him into Virginia.

The somewhat peculiar geographical position of Pennsylvania among the States of the Union during the days of slavery and the numerous attempts, sometimes unsuccessful, to enforce the harsh provisions of the fugitive slave laws, gave rise to frequent mis-construction of the attitude of this State regarding the law itself, and frequently the State and its authorities were charged with collusion with those philanthropic individuals who controlled the operation of the historic underground railroad leading from the slave States through this and New York State to Gerrit Smith's famous colony, and thence to the Canadian border. At the time of which we write Delaware, Maryland and Virginia were among the so-called slave States, and their authorities and people were insistent in their demands for the rigid enforcement and close observance of the laws on the part of the States where slavery was not recognized as an institution; and as Pennsylvania bordered on each of the States mentioned, and had long before abolished slavery, it was only natural that escaping slaves should first seek temporary lodgment and freedom on her territory, where they were furnished with protection and sustenance, and thence were quietly sent farther north; but neither protection nor sustenance were furnished them by the State or its officials, but by persons interested in the work of freeing slaves from bondage and providing them with homes in the States where all labor was free and was paid for according to its worth. Thus it was that Pennsylvania was charged with open defiance of the laws of Congress, because thousands and possibly tens of thousands of fugitive slaves were temporarily sheltered within its borders; thus it was because of the hatred born of this very fact that Pennsylvania was regarded as the bitterest enemy of the South during the latter days of slavery dominion and in the terrible internecine conflict which followed; and thus it was because of the repeated attempts to bring into public condemnation the people and authorities of

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Pennsylvania in punishment of their so-called offenses that Governor Packer in his last annual message gave voice to these words:

"Every attempt upon the part of individuals, or of organized societies, to lead the people away from their government, to induce them to violate any of the provisions of the constitution, or to incite insurrections in any of the States of this Union, ought to be prohibited by law as crimes of a treasonable nature. It is of the first importance to the perpetuity of this great Union that the hearts of the people and the action of their constituted authorities should be in unison in giving a faithful support to the constitution of the United States. The people of Pennsylvania are devoted to the Union. They will follow its stars and stripes through every peril. But, before assuming the high responsibilities now dimly foreshadowed, it is their solemn duty to remove every just cause of complaint against themselves, so that they may stand before High Heaven and the civilized world without fear and without reproach, ready to devote their lives and their fortunes to the support of the best form of government that has ever been devised by the wisdom of man."

In order to avert civil war, Governor Packer proposed that the two hostile sections compromise their difference by constitutional amendment, or in a convention of the people. His term ended, however, in January, 1861, before any of his suggestions could be acted upon; and Governor Curtin assumed the great responsibility of guiding the affairs of the Commonwealth through the Great Rebellion.

CHAPTER XVII.

CURTIN'S ADMINISTRATION—1861-1867

ON the 15th of January, 1861, Andrew Gregg Curtin succeeded to the governorship of Pennsylvania, and was the first distinctively Republican incumbent of that high office in the State. Only a few years previous to this time the Republican party had perfected an organization in the country, and it comprised several component political elements, some harmonious, others discordant, but united for an especial purpose in the gubernatorial campaign of 1860, they safely carried the election and placed Mr. Curtin in the chair. The result at that particular time was exceedingly fortunate, as trouble with the South was already threatening the overthrow of our national institution, and Mr. Lincoln, who had just been elected to the presidency, was in great need of the services, the advice and the hearty support of such men as Governor Curtin proved himself to be.

In speaking thus freely of Governor Curtin and his qualities the writer in no sense seeks to cast reflection on any of his predecessors, for it so happened that during the trying period of discussion and frequent disputes and more frequent litigations between the people of the slave States and those of States which had abolished slavery, each incumbent of the governorship in Pennsylvania stood true to the anti-slavery side of the question and steadfastly maintained the principles declared in the State nearly a century before. Governor Packer was a radical Democrat and a bitter opponent to all that savored of what he termed

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"Black Republicanism," which presumably included the ultra anti-slavery advocates, and while he had no consideration for men who held to those teachings, he at the same time showed the highest regard for the laws, no matter by whom enacted or advocated. His attitude in relation to the fugitive slave laws showed his truly patriotic spirit, and in the determined stand he took regarding their enforcement, he won the gratitude of all the political elements of his time.

Governor Curtin was born at Bellefonte, Pennsylvania, on April 23, 1815. He was educated at the schools of his native town, and he also studied at the Harrisburg Academy, under the tuition of John M. Keagy. His literary education was completed at the academy at Milton, Pa., then in charge of Rev. David Kirkpatrick. Young Curtin then returned to his home, and began the study of law under the direction of William W. Potter, a prominent lawyer of that day. Curtin completed his legal studies at the Law School of Dickinson College, after which, in 1839, he opened an office at Bellefonte in partnership with Hon. John Blanchard. He advanced rapidly in his profession, and being an effective speaker, was soon looked upon as one of the leading members of the bar.

In politics, Curtin started out as an ardent Whig, and in 1840, he took a prominent part in Harrison's campaign for the presidency of the United States. In 1844, he spoke in nearly every county of Pennsylvania in behalf of Henry Clay, achieving a great reputation as a political orator. His name appeared on the Whig electoral tickets of 1848, and 1852, and he took an active part in both of these campaigns. In 1855, Governor Pollock appointed Curtin to the office of Secretary of the Commonwealth, his duties including that of superintendent of common schools. In this position, he had an opportunity to display his rare executive abilities. The common school system was in the formative period of its existence, and was surrounded by a strong opposition; but through Curtin's labors, the system was preserved and a number of essen-

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tial features were added. At the expiration of his term of office in 1858, he resumed the practice of law at Bellefonte, and he also took an active interest in opening the railway lines through the central part of the State. Elected Governor of Pennsylvania in 1860, he was thus called to an office where he exhibited the rarest genius as a statesman, and earned the deserving title of "War Governor of Pennsylvania."



William Crawford's Cabin, Connellsville

Crawford led an expedition against the Indians at Sandusky, failed, and was put to death with torture. From drawing in Carnegie Museum

When, on January 15, 1861, Governor Curtin assumed the duties of chief executive of this great Commonwealth the clouds of war were beginning to darken the land. The new administration found the State to contain a total of 2,906,215 inhabitants (census of 1860) chiefly engaged in trade, commerce, manufacture, mining and agriculture. The institutions of State government were established upon a firm basis, the people in every section were apparently contented, and only the darkening shadow of

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approaching war disturbed their peace of mind. According to the reports of the treasurer's department in 1860, the total indebtedness of the State was \$37,969,847.50, yet the revenues and resources were such that this occasioned no uneasiness in official circles, and the Governor in his inaugural address took occasion to congratulate the legislature and the public upon the healthfulness of prevailing conditions and the prosperous outlook for the future. But there was that in the Governor's first address which betokened approaching danger to national life, for he was the friend and adviser of the newly chosen President and was enabled to speak with an understanding of the situation. Let us quote from his public utterances regarding the prevailing conditions and their relation to the future:

"The supremacy of the National Government has been so fully admitted and so long cherished by the people of Pennsylvania, and so completely has the conviction of its nationality and sovereignty directed their political action, that they are surprised at the pertinacity with which a portion of the people elsewhere maintain the opposite view. The traditions of the past, the recorded teachings of the Fathers of the Republic, the security of their freedom and prosperity, and their hopes for the future, are all in harmony with an unfaltering allegiance to the National Union, the maintenance of the constitution and the enforcement of the laws. They have faithfully adhered to the provisions of our great National Compact, and willingly recognize the peculiar institutions and rights of property of the people of other States. Every true Pennsylvanian admits that his first civil and political duty is to the General Government, and he frankly acknowledges his obligation to protect the constitutional rights of all who live under its authority and enjoy its blessings.

"Pennsylvania has never faltered in recognition of all the duties imposed upon her by the National Compact, and she will, by every art consistent with her devotion to the interests of her own people, promote fraternity and peace and a liberal comity

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between the States. Her convictions on the vital questions which have agitated the public mind are well understood at home, and should not be misunderstood abroad. Her verdicts have been as uniform as they have been decisive, in favor of the dignity, the prosperity and the progress of her free industry, and support of the principles of liberty on which the government is founded, and menace or rebellion cannot reverse them. They have passed into history as the deliberate judgment of her people, expressed in a peaceful, fraternal and constitutional manner; and when they shall have been administered in the government, as soon they will be, the madness that now rules the hour will subside, as their patriotic, faithful and national aims bring ample protection and peaceful progress to all sections of the Republic.

"In the grave questions which now agitate the country, no State has a more profound concern than Pennsylvania. Occupying a geographical position between the North and the South, the East and the West, with the great avenues of travel and trade passing through her borders, carrying on an extensive commerce with her neighbors, in the vast and varied productions of her soil, her mines and her manufacturing industry, and bound to them by ties of kindred and social intercourse, the question of disunion involves momentous consequences to her people. The second of the thirty-three States in population, and the first in material resources, it is due both to ourselves and to the other States, that the position and sentiments of Pennsylvania on the question should be distinctly understood.

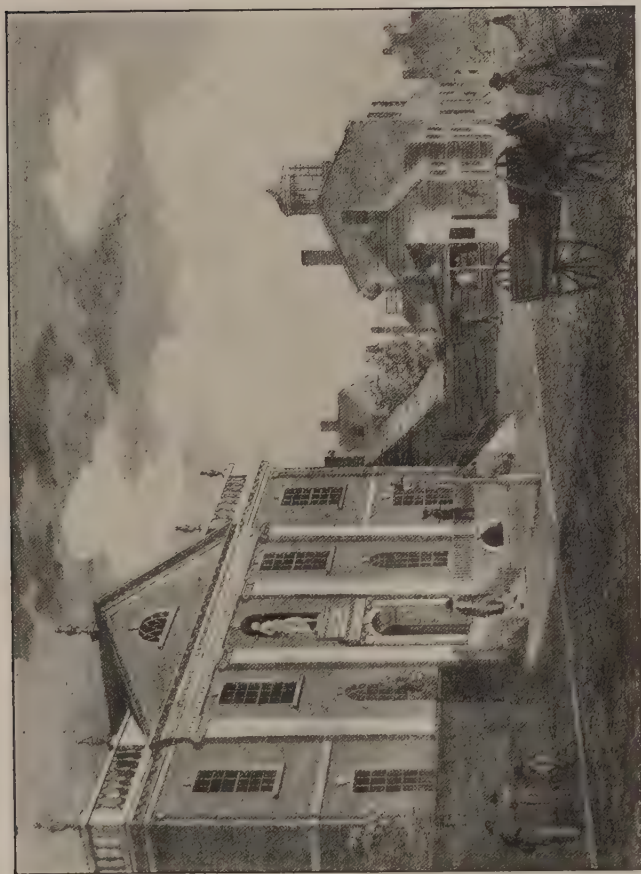
"In the present unhappy condition of the country, it will be our duty to unite with the people of the States which remain loyal to the Union, in any just and honorable measures of conciliation and fraternal kindness. Let us invite them to join us in the fulfillment of all our obligations under the Federal Constitution and laws. Then we can cordially unite with them in claiming like obedience from those States which have renounced their allegiance. If the loyal States are just and moderate, without any

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sacrifice of right or self-respect, the threatened danger may be averted."

In all that he said in relation to the controversy between the North and the South previous to the actual outbreak of the war, Governor Curtin voiced the sentiment of the people of the whole State, and in all that he did in anticipation of the inevitable event he was warmly supported by the people of all classes and also by the legislative branches of State government. Indeed, from the time of his inauguration until the beginning of hostilities, and from that time to the close of the war, the executive and legislative departments acted in harmony, the former looking to the latter for the enactment of such measures as were deemed necessary for the maintenance of the high standard of loyalty early proclaimed by Pennsylvania, and the latter looking to the former for suggestion and advice, for he knew better than they the needs and requirements of the State in this hour of great peril. This was especially true from the time when Mr. Cameron resigned (March 11, 1861) his seat in the United States Senate and accepted the position of secretary of war in Mr. Lincoln's cabinet. Although the former relations of the President and our Governor were entirely cordial, and their ideas and action in regard to the grave questions then before the country were in perfect accord, Mr. Cameron's appointment to the portfolio of war had the effect to draw Mr. Lincoln and Governor Curtin into still closer relationship, and thus to give the latter every opportunity to know the actual needs of the government and what would be required of his own State on each occasion. This the legislature knew, and without question or cavil the Governor's suggestions were accepted as expressing the actual situation of national affairs, and they were acted upon promptly, generously, and with every confidence that the best interests of the State would thereby be promoted.

Governor Curtin has ever been known in history as the "War Governor" of Pennsylvania, yet he was not inclined to favor war



Franklin Library, 1790-1887

First Surgeon's Hall, 1765-1802
From the Birch views

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with the South until every means for an amicable settlement of difficulties had been exhausted. He took kindly to the proposition emanating from Virginia for the appointment of commissioners from the several States to meet in Washington and make an earnest effort to agree upon a plan of settlement of the "present unhappy controversies, in the spirit in which the constitution was originally formed and consistently with its principles, so as to afford to the people of the slaveholding States adequate guarantees for the sovereignty of their rights. In accordance with the spirit of the undertaking and in conformity of a resolution of the legis-



Arms, 1790

lature of Virginia (Jan. 19, 1861), the Governor appointed as the representatives of that State ex-President John Tyler, William C. Rives, Judge John B. Brockenborough, George W. Summers and James A. Seddon. At the same time the Governor appointed ex-President Tyler to the special service of commissioner to President Lincoln, and also appointed Judge John R. Robertson commissioner to the State of South Carolina and the other States which then had seceded, to act with others "in an endeavor to amicably settle the difficulties which impelled their action."

However, in its action the legislature of our State did not await entirely the initiative of the Governor, but adopted several measures of its own accord, which had the effect to win the confidence of the people of the State at large, whose especial representatives the members were known to be. As early as Jan. 24, 1861, having in mind the fact that on Dec. 20, 1860, the State of South Carolina adopted an ordinance to dissolve the union between that and

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the other States which previously had been united under the compact entitled "The United States of America," the Assembly passed a series of resolutions expressive of the sentiment of the people of this Commonwealth in relation to the questions of the hour. These resolutions were important, and were so pertinent to the subject under discussion that some of them will be found of interest in this chapter.

"Resolved, That the people of Pennsylvania entertain and desire to cherish the most fraternal sentiments for their brethren of other States, and are ready now, as they ever have been, to co-operate in all measures needful for their welfare, security and happiness, and the full enjoyment of all their rights under the constitution which makes us one people; that while they cannot surrender their love of liberty, inherited from the founders of their State, sealed with the blood of the Revolution, and witnessed in the history of their legislation, and while they claim the observance of all their rights under the constitution, they nevertheless maintain now, as they have ever done, the constitutional rights of the people of the slaveholding States to the uninterrupted enjoyment of their own domestic institutions.

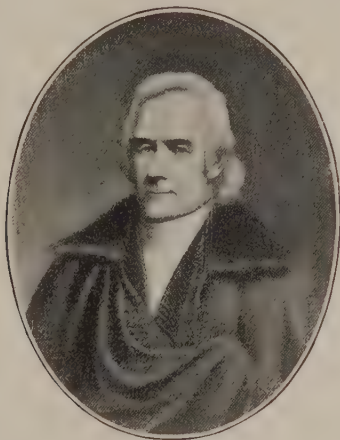
"Resolved, That we adopt the sentiments and language of President Andrew Jackson, expressed in his message to Congress (Jan. 16, 1833) that the right of a people of a single State to absolve themselves at will, and without the consent of the other States, from their most solemn obligations, and hazard the liberties and happiness of millions comprising this Union, cannot be acknowledged, and that such authority is utterly repugnant both to the principles upon which the general government is constituted and the objects which it was expressly formed to attain.

"Resolved, That the constitution of the United States of America contains all the powers necessary to the maintenance of its authority, and it is the solemn and most imperative duty of the government to adopt and carry into effect whatever measures may be necessary to that end; *and the faith and the power of Penn-*

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sylvania are hereby pledged to the support of such measures, in any manner and to any extent that may be required of her by the constituted authorities of the United States."

Of a truth there was no uncertain ring of loyalty and patriotism in these resolutions at the time of their adoption, and when



John Franklin

Agent of the Connecticut Susquehanna company; captured by Colonel Timothy Pickering, 1787, and imprisoned in Philadelphia fourteen months without trial; was present at Wyoming just after the massacre, and with Sullivan at the battle at Newtown; born 1749; died 1831. Reproduced for this work from an engraving in possession of N. F. Walker

in the course of a few more months those qualities of loyalty and patriotism were put to the test, the State of Pennsylvania faithfully fulfilled every promise and redeemed every pledge with an ardor unsurpassed by that of any other State in the Union. But, notwithstanding the frequent reiteration of sentiments like those expressed in the resolutions, and regardless of the fact that war between the North and the South even then was considered un-

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avoidable, there was no real preparation for such an event until just before the actual outbreak, for it was hoped that some means of settlement might be discovered without recourse to arms. Let us glance briefly at the political situation in the country at the time of which we write.

For many years previous to 1860 strong antagonism between two sentiments had existed in the country; the South was the avowed enemy of the free paid labor of the North, and the North of the slave labor of the South. Advocates of both principles were earnest and determined and their respective views were enlarged and extended until the remotest corners of our territorial limits became impregnated with the prevailing ideas. The national political contest of 1860 was both fevered and exciting, for never before had so much depended upon the result of the ballot. There were numerous murmurings of a significant character that carried alarm to the nation which had devoted all her energies to the fruitful arts of peace. Then followed an assault on the integrity of the ballot and the expressed will of the majority, which, if successful, must of necessity have destroyed our republican form of government. Soon the voice of reason was lost in the thunder of Moultrie's guns, and then the question was: Shall liberty and union no longer walk hand in hand, and if either is to go out, which shall it be?

Then how sudden the transformation of the peaceful citizen into the armed and uniformed soldier! Almost every citizen realized that it was his duty to be loyal in his service to the country, and volunteers were furnished from every State, county and town in the great North. Loyal men only knew that they were needed, and they hastened to respond to the call; they exchanged the rippling music of the hillside stream for the thunder of the deep-mouthed cannon and the deafening musketry volley. "It was not with them a question of what battles were to be fought, what graves filled, what altars shivered; the spirit of secession must be buried and breathe its last amid shrieking shell and hissing bullet."

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Our own Pennsylvania was no exception to the rule, and freely gave her sons whose blood crimsoned the soil of a hundred battlefields of the South; and they fell as heroes fall, a sacrifice to union, liberty and freedom; and the mothers who gave those sons displayed a patriotism equal to that of the Spartan mothers in the sacrifice of household idols. The hardships of a soldier's life, suffering from wounds, disease and privations, and the surrender of young lives, presents a chapter of patriotism which warms the devotion to country of every true American; but when we reflect on all the scenes at home and those upon the battlefield we can only doubt who suffered most when the shadows of war darkened our fair land.

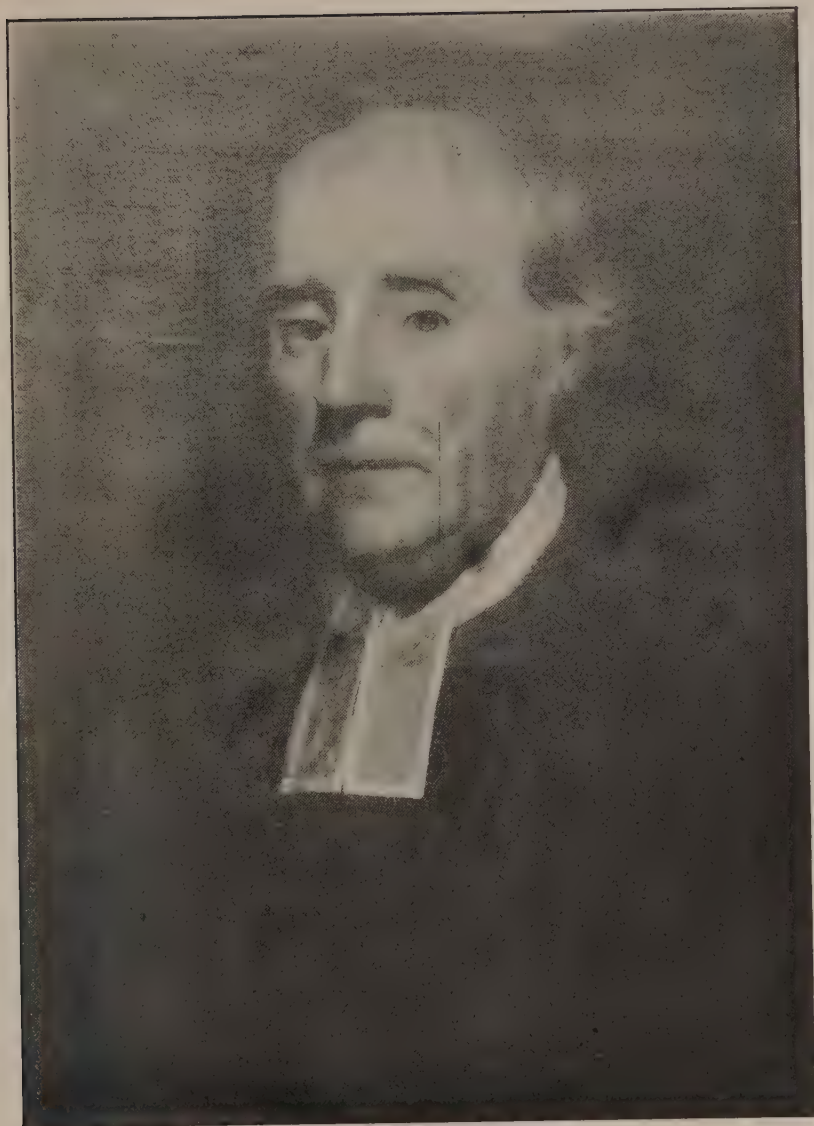
As early as February, 1861, it became evident that actual war with the seceding States could not much longer be averted, as the attitude of the South Carolina authorities toward the Federal garrison at Fort Sumter indicated an immediate outbreak of hostilities. On the 17th of that month the Assembly of Pennsylvania passed resolutions approving the course of Major Anderson, and in Philadelphia and other commercial centers public meetings were held and strong sentiments were expressed in favor of upholding the Union, suppressing treasonable insurrection and urging immediate preparations for war. At that particular time, however, the military system of the State was not in order for efficient action, and it was supposed that much time would be required to re-establish it on a proper basis. The principal defects consisted of an insufficient number of men and a general lack of equipment, both in arms and uniforms, and an almost entire absence of discipline. On April 9th the Governor addressed a communication to the Assembly, calling attention to the imperfect system, and urged immediate action in reorganizing it, a modification of the military laws, and the establishment of a military bureau at the capital of the State. Three days later, on the very day on which Fort Sumter was fired upon, the Assembly passed an act for better organizing the militia and appropriated \$500,000 for that purpose.

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While at the time indicated there undoubtedly was a lack of organization and military discipline in the State, there was no scarcity of material from which to create a formidable army for either offensive or defensive purposes, as the report of the adjutant-general for the preceding year showed 355,000 men subject to military duty, although of the entire number only 19,000 were members of organized companies. There were four hundred and seventy-six of these companies, with an average membership of about forty men in each. All the arms and military equipment then owned by the State were in possession of the companies, and comprised 12,080 muskets, 4,706 rifles, 2,809 cavalry swords and sabres, 3,149 pistols, 69 pieces of ordnance, and about 575 camp tents. Of the muskets, about 2,500 were of new model, and 1,200 of the rifles were of modern pattern, but the remainder of the equipment, except the ordnance, was of comparatively little use. The total number of effective small arms was 4,200; thus 14,500 members of the organized and uniformed militia had no arms fit for use when they entered the service in the spring of 1861.

It was this condition in the military establishment of the State that impelled the Governor's action, and also that of the Assembly, to which reference has been made in a preceding paragraph. The Assembly took prompt action, but before anything had been really accomplished the war of the rebellion was begun.

On the morning of April 12, 1861, the guns of Fort Moultrie in Charleston harbor, S. C., were trained on Fort Sumter, the latter then being held by a Federal garrison under Major Anderson; and with the first boom of Confederate cannon civil war was proclaimed throughout the United States; the great sections of country known as the South and the North were arrayed against each other in a conflict which was destined to cost billions of money, hundreds of thousands of human lives, and to engender feelings of animosity which in all subsequent years have not been entirely effaced, although to-day the old contending forces are nearer together in thought and action and sympathy than ever before.



William Smith

Clergyman; educator; first provost University
of Pennsylvania; born 1727; died 1803

Curtin's Administration

In this brief chapter it is needless to dwell upon the promptness, the enthusiasm and the patriotism with which the people of Pennsylvania, in common with those of the other Northern States, sprang forward at the call of the President for men to suppress the treasonable rebellion organized by the hosts of misguided people of the South. The subject, although never to be worn threadbare, has nevertheless been the frequent theme of the most gifted pens in song and story, and the banner of peace floated over the entire republic at the end of the sanguinary and heroic struggle. The record achieved by the brave men who gave up the comforts and safety of their homes for the dangers and hardships, the wounds and death of the battlefields, is one that ever may be looked upon with pride by every loyal citizen of the State; while the liberality displayed by those whose duty was to remain at home helped to soften the rigors of war and gave the volunteers the most undoubted assurances that their sacrifices were appreciated to the fullest possible extent; and as the tide of war rolled on and call succeeded call to fill the depleted ranks of the army, the State did not hesitate in its duty, nor the counties and towns in their loyalty, in providing for the payment of such generous bounties as would serve the very best purpose.

Throughout the period of the war the civil and military history of Pennsylvania ran in the same channel, and were almost concurrent events, and it was not until well along toward the close of the struggle that there began to develop a sentiment of opposition to the administration of the President, of the war department, and, in a less degree, to the course of Governor Curtin and his advisers. Previous to this time there was little division of political sentiment in the State and Republicans and Democrats alike warmly supported all the measures proposed in the legislature for the vigorous prosecution of the war, while in the ranks of the army were hundreds and even thousands of sturdy volunteers who were descended from ancestors "scrupulous of bearing arms"; but along after the enforcement of draft orders there developed a spirit of

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opposition, which manifested itself chiefly at the polling places, and had the ultimate effect to create serious disturbance in the harmony of State politics. These events, however, in our history will be treated in a subsequent portion of this narrative.

On the morning of April 12, 1861, a message was handed to Governor Curtin in Harrisburg which read as follows: "The war is commenced. The batteries began firing at four o'clock this morning. Major Anderson replied, and a brisk cannonading commenced. This is reliable, and has just come by Associated Press," etc.

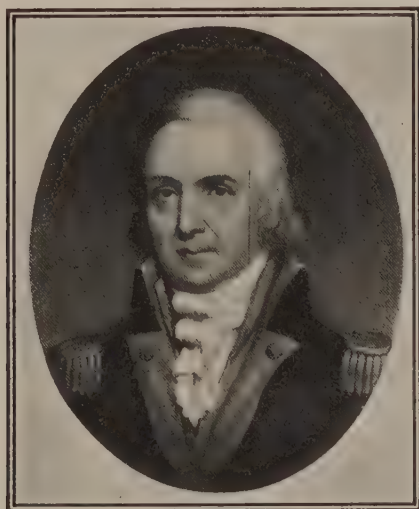
On this day, in response to the Governor's suggestion, the legislature passed an act for reorganizing the military department of the State, and in conformity to its elaborate provisions, on the 17th, the Governor nominated and sent to the Senate for confirmation the name of Major-General Edward M. Shepard to be adjutant-general, Captain John W. McLane to be commissary-general, and General Reuben C. Hale to be quartermaster-general, each on the grand staff of the military department of the State as constituted under the act.

True to the patriotic principles so frequently expressed on previous occasions, and thoroughly alive to the exigencies of the situation after South Carolina, Georgia, Alabama, Mississippi, Louisiana, Florida and Texas had openly seceded and had arisen in armed rebellion against the sovereign authority and government of the United States, and had declared to dissolve their allegiance to the Federal Union, the legislature of Pennsylvania, on April 18, *unanimously* adopted the following resolution:

"Resolved, That the faith, credit and resources of the State, in both men and money, are hereby pledged to any amount and to every extent which the Federal Government may demand, to subdue the rebellion, to punish the treason, to enforce the laws, to protect the lives, the liberties and the property of the people, and to maintain inviolate the constitution and the sovereignty of the nation."

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On the 20th the Governor issued his proclamation convoking the Assembly in special session, to "take action in connection with the appearance of rebellion." On the 30th the Assembly was convened and received an important message from the Governor, the latter setting forth the needs of the government and the duty of



Josiah Harmar

Negotiated treaty with Indians at Fort McIntosh (Beaver), 1785; brevetted brigadier-general by Congress 1787; general-in-chief United States Army, 1789-1792. Made for this work from an engraving in possession of Dr. W. J. Holland

the State, and called upon the assembled legislators to make ample provision for men, arms and military equipments. In his message on this occasion the Governor gave free expression to his views regarding the situation, and his utterances were so thoroughly frank and patriotic that the writer is impelled to make use of some portions of them:

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"No one who knows the history of Pennsylvania and understands the opinions and feelings of her people, can justly charge us with hostility to our brethren of other States. We regard them as friends and fellow-countrymen, in whose welfare we feel a kindred interest; and we recognize, in their broadest extent, all our constitutional obligations to them. These we are ready and willing to observe, generously and fraternally and in their letter and spirit with unswerving fidelity. . . . The time is past for temporizing or forbearing with this rebellion; the most causeless in history. The North has not invaded nor has she sought to invade a single guaranteed right of the South. On the contrary, all political parties, and all administrations, have fully recognized the binding force of every provision of the great compact between the States, and regardless of our views of State policy, our people have respected them. To predicate a rebellion, therefore, upon any alleged wrong inflicted or sought to be inflicted upon the South, is to offer falsehood as an apology for treason. So will the civilized world and history judge this mad effort to overthrow the most beneficent structure of human government ever devised by man."

On April 15th, 1861, four days after the bombardment of Fort Sumter, President Lincoln issued a call for 75,000 militia from the several Union States to serve for three months. The quota of Pennsylvania was fourteen regiments, and so prompt was the response to the call and such was the patriotic ardor of the people in every portion of the State that not only were the required regiments raised, but the number was increased to twenty-five. Indeed the services of about thirty additional regiments were refused by the government, as the great number of volunteers who came forward had then provided for more than one-half the total number of troops called for by the President. Four days after the call Pennsylvania had placed at the national capital six hundred men, and to the lasting honor of the State, it may be said that its troops were the first to arrive in Washington to defend

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the city against an expected attack by the Confederate forces. Ten days later the entire number of twenty-five regiments of Pennsylvania troops were organized and in the field. On April 18, Camp Curtin was established at Harrisburg, at which point all the militia of the northern, western and central counties of the State were organized and equipped for active service at the front. At the same time the eight regiments raised in Philadelphia and its vicinity were rendezvoused and organized in that city. All these regiments were designated in numerical order from 1 to 25, and comprised in the aggregate 20,979 men. They served the full term of three months, and then were mustered out of service, although many of the men, in some instances almost entire companies in a body, re-enlisted for the regular three years' service.

While it is not within the province of this chapter to refer at length to the service of individual companies or regiments sent out from Pennsylvania during the war, it is nevertheless proper to mention the fact that among the very first military organizations to tender their services to the government were the Ringgold Light Artillery of Reading; the Logan Guards of Lewiston; the Washington Artillery and the National Light Infantry of Pottsville, and the Allen Rifles of Allentown. Says a contemporary writer: "When the Ringgold Light Artillery, numbering one hundred and two men, reached Harrisburg, and word was sent to the secretary of war of the presence of so strong a company at the State capital, he at once telegraphed for its immediate presence in Washington, but for prudential reasons the order was suppressed."

Having been mustered into the service of the United States, the five volunteer companies, with a detachment of fifty men from the regular army, left Harrisburg, the former destined for the defenses of Washington and the latter for Fort McHenry. In marching through Baltimore, from Bolton to Camden station, these volunteer companies were attacked by a riotous mob of con-

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federate sympathizers, and were subjected to all manner of indignities, but the men behaved themselves with becoming bravery and raised no arm to resist the assaults made on them. In fact, even if so disposed, the troops were powerless to defend themselves, for they were without ammunition of any kind, although the men were provided with guns. On the evening of the 18th the companies arrived in Washington and camped in the defenses of the city; and they were the first troops to reach the capital, a fact due to the prompt action of Governor Curtin, and the zeal with which the sturdy Pennsylvanians answered the call to arms.

The conduct of these companies while passing through the streets of Baltimore was the occasion of much favorable comment, and their determined courage in the face of many embarrassments was duly recognized by Congress in the adoption of the following resolution:

“37th Congress, U. S., July 22, 1861.

“*Resolved*, That the thanks of this House are due, and are hereby tendered, to the five hundred and thirty soldiers from Pennsylvania, who passed through the mob at Baltimore and reached Washington on the 18th of April last, for the defence of the National Capital.

GALUSHA A. GROW,

“Speaker of the House of Representatives.”

This was the first but not the last occasion on which the National Congress found opportunity to publicly acknowledge the services of volunteer soldiers from Pennsylvania during the period of the Civil war.

Following the departure of the first body of volunteers Camp Curtin was the scene of activity, and from the time of its establishment (April 18, 1861), to the close of military operations in connection with the war it was the most popular rendezvous and training grounds for troops in the entire State. Its location for its intended purpose was admirable, as it occupied the land between the Pennsylvania railroad and the Susquehanna river, the site formerly occupied by the Dauphin County Agricultural Society.

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Previous to the selection of the camp site all available lands in the city were occupied by the constantly incoming troops, and temporary shelters and barracks were provided for their accommodation. As evidence of the early importance of Camp Curtin it may be said that between the 18th of April and the end of that month twenty-five regiments of troops were formed there and sent to the front for active service.



Dial Rock

The sun dial of the early settlers in Wyoming Valley; also called Campbell's Ledge. Engraved for this work from a photograph in possession of Wyoming Historical and Geological Society

The second call for volunteers was made in May, the quota for Pennsylvania being ten regiments, but the services of these regiments the government refused, on the announcement by Secretary of War Cameron that as the State had twenty-five regiments already in the field its force ought not to be increased at that time.

At an extra session of the legislature was passed the act of May 15, for organizing the "Reserve Volunteer Corps of the

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Commonwealth," to comprise thirteen regiments of infantry, one of cavalry and one of artillery. This corps was organized under the command of Major-General George A. McCall, and was placed for military instruction in camps at Easton, West Chester, Pittsburgh and Harrisburg. On June 22 two of its regiments were ordered to Cumberland, Md., and soon afterward rendered excellent service at New Creek and Piedmont in Western Virginia until ordered to the lower Potomac regions. On the 22d of July, the day after the disaster at Bull Run, a requisition was made on the State for its Reserve corps, and as quickly as the means of transportation could be provided, eleven thousand of these troops, fully armed and equipped, were sent to the defences of Washington, and a few days later the regiments were mustered into the United States service for three years, or the war.

This was the beginning of the history of the familiarly known Pennsylvania Reserves, an organization which, during the later years of the war, won fame on many battlefields, and many of whose members are sleeping beneath the sod in Southern States. Its record certainly was one of unquestioned merit and reflected honorably on the entire military system of the State. The aggregate number of officers and men comprising the several regiments of the Reserve corps in 1861 was 15,856.

Previous to the mustering of the Reserve corps into the service of the United States, the government authorized the organization of four independent regiments in the State, and the result was to promptly raise an aggregate of 4,711 officers and men. Subsequently, direct requisitions were made for sixteen additional regiments of infantry and two regiments of cavalry, all of which were recruited and organized with equal dispatch, and the men were sent forward to such points as were designated by the war department. On September 25 the department placed under control of the Governor all brigades, regiments, battalions and companies which from time to time it had authorized individuals to raise. These amounted to ten regiments, including five of

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cavalry, one of artillery, and also twenty-seven companies, including five of cavalry and three of artillery.

From what is stated in preceding paragraphs it will be seen that on the 1st of January, 1862, the State of Pennsylvania had in the service of the government an aggregate of 130,594 men, inclusive of the three months' regiments and also inclusive of fourteen regiments and five companies which at that time were preparing for duty. Recapitulating briefly, it may be said that the regiments in actual service at the time indicated comprised sixty-five of infantry and riflemen, a total of 71,189 men; eleven of cavalry, 12,690 men; one of artillery, 1,077 men; seven companies of infantry, 707 men; six companies of cavalry, 578 men; and six companies of artillery, 936 men. The grand total of these commands amounted to 87,177 men, to which must be added 6,400 Pennsylvanians who enlisted and were credited with serving in regiments recruited in other States, chiefly in New York, with a less number in New Jersey and Ohio.

Notwithstanding the splendid contribution of men who were in active service at the close of the year 1861, at that time fourteen regiments (12 of infantry, 1 of cavalry and 1 of artillery) and five companies (4 of artillery and 1 of cavalry), with a grand total of 16,038 men, were in the several camps and recruiting stations awaiting orders and organizing for service. On January 1, 1862, this State had in service and in preparation for service (exclusive of those whose enlistments had previously expired) a total of 109,615 men.

Three distinct calls for troops were made in 1861: First, the President's call of April 15, to which Pennsylvania responded with 20,979 three months' men; second, the call of July 22, which was answered by the famous Reserve corps and a total of 15,856 men; and third, the general organization of troops under the act of Congress of July 22, which called out a total of 93,759 men.

In 1862 the exigencies of the war made a serious drain on the resources of the State, yet during that year less troops were sent

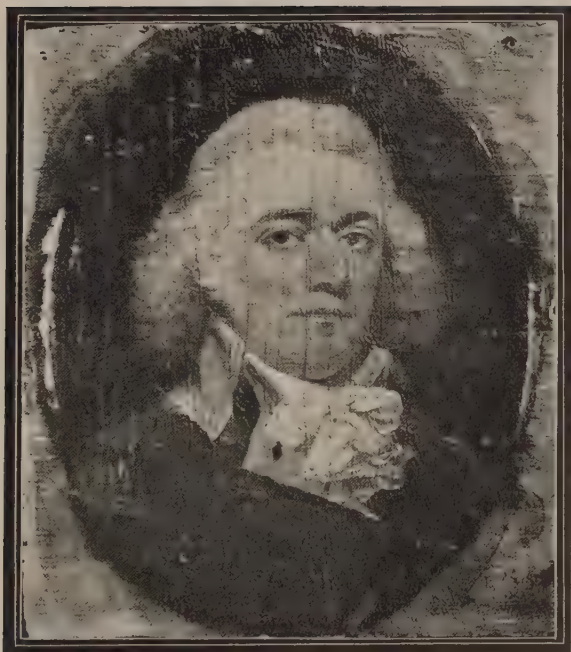
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to the front than in 1861. By this time, although the heavier battles were yet to be fought, our sturdy Pennsylvanians had become accustomed to the dire events of war, and with great fortitude did they meet every demand upon their resources and material strength; and this done there appeared to be an abundance of excellent material yet in reserve.

In his annual message to the Assembly in January Governor Curtin carefully and frankly reviewed the situation of the State with regard to the great events then in progress, and made especial reference to the subject of finance, for during the preceding year the total receipts from the specially authorized military loans had amounted to \$3,119,379.45, and of this vast sum \$2,728,872.04 had been expended for the purposes for which the fund was created. The Governor also referred to the splendid action of the Pennsylvanians in promptly answering the call to arms, and he mentioned in detail the location and condition of the State troops then in service of the government; and he also made allusion to the presentation of regimental colors, as provided for by a resolution of the Assembly.

The year 1862 was a period of constant activity in military affairs in Pennsylvania, and the camps at Harrisburg, Pittsburg and in the vicinity of Philadelphia, were kept alive with troops preparing for duty at the front. In the early part of the year the regiments recruited but not sent forward in 1861 were organized and placed at the disposal of the war department, but other than this there was no direct call for more men until July 7, when forty-three regiments, aggregating 40,383 men, were organized and put into service.

The Governor himself had been informed of the necessity of this call for additional troops, and on the 4th of July had issued a proclamation in which, among other things, he said: "Pennsylvania has hitherto done her duty to the country. Her freemen are again called on to volunteer in her defence that the blood of her sons who have already fallen may not have been shed in vain,



William Jackson

Aide-de-camp to Washington; assistant secretary of war, 1782-1783; secretary of the convention which framed the Federal Constitution, 1787; private secretary to Washington during his first administration; publisher of the daily "Political and Commercial Register," 1801-1815. Reproduced especially for this work from an original panel by Trumbull, in the Historical Society of Pennsylvania

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and that we may hand down to our posterity the blessings of union and civil and political liberty, which we derived from our fathers. . . . Our noble Commonwealth has never yet faltered and must stand firm now when her honor and every thing that is dear to her is at stake."

It was such sentiments as these expressed by Governor Curtin and thousands of other patriots throughout the State that kept alive the ardor of the people in general and spurred them on to still greater efforts in behalf of the cause of union and liberty, and when the President's call for 300,000 more men was formally issued this State was among the very first to furnish its quota of more than forty thousand men. In a way, however, Pennsylvania was well prepared to meet the call of July 7. The intelligence of the attack of May 25 upon General Banks at Winchester by the vastly superior force of Ewell's and Jackson's divisions, had created an intense feeling not only in Pennsylvania but throughout all the loyal States. On the following day, under general orders issued by the Governor, for the muster of all the militia organizations to resist an expected attack upon the frontier of the State, the available militia were hastily organized into regiments and battalions. But this emergency passed without an invasion, whereupon the order for the assembling of the three months' volunteer militia was revoked. However, many of the companies preserved their organization and were among the first to respond to the call of July 7.

About this time a new scheme for securing enlistments was brought into existence, and had its beginning in the neighboring States, especially in New York, where counties, towns and associations of persons created funds for the payment of bounties to recruits in order to fill their quotas under the drafts ordered in 1862. This offer of bounties in adjoining counties in other States had the effect to attract enlistments from Pennsylvania and threatened inroads on the militia of our State to such an extent that an extra session of the legislature to deal with the

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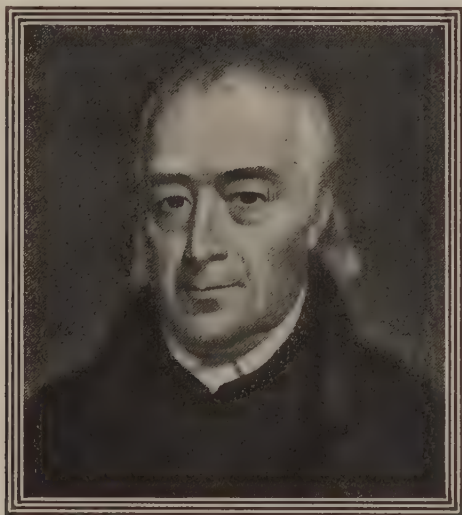
subject seemed necessary; but this necessity was soon obviated by the action of our own counties and townships in creating bounty funds, and the legislature was not called upon to act in the matter.

In many respects the bounty system, however well regulated in certain localities, proved iniquitous through the schemes of designing persons, and as a result the ranks of the volunteers became filled with men who possessed none of the qualities of loyal soldiers, and whose sole purpose was to secure the money offered them and then desert and re-enlist for another bounty or escape across the borders into other States or into Canada. This class of persons was known as "bounty jumpers," and while they were too numerous for the welfare of the service, they by no means carried disorder into the ranks of the army in general; and there were thousands among those who enlisted under the bounty offer who proved as good and faithful soldiers as ever carried a musket or responded to an order to charge the enemy.

Among the several varied events which took place within this State during the second year of the war, that known as Stuart's raid on Chambersburg, in Franklin county, on October 10, was by far the most important; and it was accomplished so stealthily and quickly that no arm was raised in defence of the town. The people living in that particular locality had for some time been apprehensive of an attack, for there was much in the geographical surroundings to tempt an invasion of Pennsylvania territory by way of the Cumberland valley, where nature had provided easy and safe means of entrance and departure from the south. Chambersburg itself was an attractive place, delightfully situated in a fertile region of country, and was also the site of a military storehouse where large quantities of arms and munitions of war were deposited. This fact evidently was known to the confederates, and their first invasion of the territory of our State undoubtedly was for the double purpose of wanton pillage and the capture of the military stores.

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In the early part of September the confederate forces had made incursions into Maryland and even then threatened an invasion of the southern region of Pennsylvania. To prepare for such an event a call was made by general orders upon all the able-



John McMillan

Educator; started a Latin school and the theological seminary which afterward became Canonsburg academy, 1791, and later Jefferson college. Photographed for this work from an engraving in possession of Mrs. William M. Darlington

bodied men of the counties to organize for the defence of the State, and on the 11th of that month fifty thousand freemen were called for immediate service. Harrisburg was the designated rendezvous for the troops, and every train of cars brought thousands of volunteers into the city, and to provide for them the capitol grounds were transformed into an immense military

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camp. Companies were rapidly formed, regiments were as quickly organized and sent forward into the Cumberland valley, where, under Brigadier-General John F. Reynolds, who had been temporarily detailed from the command of the Pennsylvania Reserves, this new army was reorganized for the defence of the State against the threatened invasion. Fifteen thousand of this force of volunteers were pushed forward to Hagarstown and Boonsboro, Md., ten thousand others were posted in the vicinity of Greencastle and Chambersburg, and about twenty-five thousand were kept at Harrisburg ready for transportation to any desired point. One other regiment was sent to guard the Dupont powder mills in Delaware. However, on September 24, the necessity for further service having passed, the volunteer militia was discharged by order of the Governor.

In October Chambersburg was less prepared to resist an attack, and the invading force of rebels under Generals Stuart and Hampton met with no opposition during their raid. Late in the afternoon of October 10 these daring officers with a body of about two thousand cavalry and artillery entered the town, having crossed the Potomac, and by hurried marches made their way into the State without the least warning of their approach. The night was spent in plundering and destroying the houses and property of the residents, and on the following morning the military storehouse was made the object of especial attack. The building was stripped of its contents, large quantities of arms and ammunition were carried away, and whatever remained was destroyed by fire, together with the storehouse itself. Then the invaders departed as quickly as they had come, passing out by way of South Mountain and the Potomac river.

To repel this invasion, although the action was too late to be effective, the Governor called into service the Anderson cavalry, then encamped at Carlisle, and two companies of regulars who were in the barracks at the same place. These were at once pushed forward in the direction of Chambersburg and South Mountain.

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The cavalry at Camp Curtin, consisting of one full and two imperfect regiments, were armed as infantry, and with two companies of infantry, and a battery of volunteer light artillery of Harrisburg, were held in readiness to go forward, when General Wool arrived and assumed command of all the forces. He had previously ordered a part of his command from Baltimore and marched the troops to Gettysburg. But the confederate forces marched with such celerity that they were not met by any of General Wool's troops and thus escaped from the State without being attacked.

Within the borders of the State and in the field of active operations in the South the year 1862 witnessed many important and several serious events so far as concerned the Pennsylvania soldiery. During the year the requisitions for troops drew upon the militia resources of the State to the extent of 69,742 men in addition to those credited to the preceding year, and at the close of 1862 it was found that a total of 200,336 men had been sent out since the beginning of the war; and if to the above there is added the twenty-five regiments of infantry, eleven companies of cavalry and four batteries of artillery that marched on special service into the Cumberland valley, the aggregate contribution of the State thus far would amount to more than a quarter of a million of men. Yet the resources of the State were not exhausted, and there still remained for future emergencies more men, money and undoubted loyalty for the further support of the government and the defence of the Union.

A careful analysis of the reports of the adjutant-general for the year 1862 shows Pennsylvania's contribution of men for the service to have been as follows: Organized under the President's call of July 7, for 300,000 men, regiments 116 to 157 inclusive, and including five regiments of cavalry (159 to 163 inclusive) and three battalions of artillery, on special requisitions, 40,383; organized under draft ordered by the President, August 4, for 300,000 militia to serve for nine months (regiments 158, 165 to

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169 inclusive, and 171 to 179 inclusive), 14,800; drafted men in camps sent forward, 300; recruits furnished to regiments in service by Captains Dodge and Lane, and Lieut.-Col. Ruff, superintending the volunteer recruiting service at Harrisburg and Philadelphia, 9,259; enlisted in organizations of other States, 5,000; total, 69,742.

Thus from the middle of April, 1861, to the close of the year 1862, a period of a little more than twenty months, there were recruited and organized in Pennsylvania for the service of the government a total of one hundred and eleven regiments for three years, including eleven regiments of cavalry and three regiments of artillery; twenty-five regiments for three months; seventeen volunteer regiments for nine months; fifteen regiments of drafted militia, and twenty-five regiments of militia called out for emergency purposes; in all a grand total of one hundred and ninety-three regiments, embracing in the ranks of the federal armies more than two hundred thousand men.

Notwithstanding the heavy drains upon the State during the previous years of the war, a careful estimate of the strength of the military and financial departments at the beginning of the year 1863 found Pennsylvania well prepared to meet the further demands of the government. At that particular time the general aspect of affairs of the war was not encouraging, and the enemy was gradually pushing forward toward the southern border of our State. Yet there was no faltering step on the part of either Federal or State government, and on every hand there was manifested a spirit of determination to accomplish that which was begun. In his annual message to the Assembly in January, 1863, Governor Curtin said: "Notwithstanding the pressure of public calamity which has weighed heavily on the country during the past year, it has pleased Divine Providence not only to enable the people of Pennsylvania to perform in full all their duties to our common government, but to give to this Commonwealth domestic peace, plenty and prosperity."



Copy of a portrait of Thomas Sully del. 1840. Phila 1903

Curtin's Administration

Such, indeed, was the case at the time of which we write. Disaster had followed disaster to the Union arms, and while there had been substantial achievements in favor of the North, the general results had not been satisfactory, although not at any time was there harbored the thought that the cause of the South would prevail. Within the State there were heard only expressions of



John McMillan's Log Building

Fulton Farm, Washington County, where he started his theological seminary and Latin school. The old cabin is now on the campus of Washington and Jefferson college. Engraved for this work from a negative by Anna Buckbee

confidence as to the ultimate result of the struggle, and loyal hearts and hands stood ever ready to contribute still more and more means in support of the government. Not at any time during these years had the State been financially distressed, or even temporarily at loss to command all the money necessary to carry forward the great work its government had undertaken. In proof of this it may be said that on December 1st, 1861, the public debt of the State amounted to \$40,580,666.08, and on December 1st,

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1862, amounted to \$40,448,213.82, thus showing strength to withstand any further demands, and that despite the fact that within the next few months the theatre of war was destined to be temporarily transferred to Pennsylvania territory.

In the message previously referred to the Governor mentioned in particular the offer of the city of Philadelphia to the government to give League Island for a navy yard, to be used for the purposes of construction of iron-clad vessels and the establishment of a naval station under national control. At the time the matter was under consideration in Congress a majority of the House committee was disposed to decline the offer and to favor a site at New London, Conn., but the minority of the committee strongly urged the acceptance of the offer, and in their advocacy of it they were supported by the secretary of the navy, whose counsels finally prevailed and resulted in the establishment of the present League Island naval station, one of the most valuable properties of its kind on the Atlantic seaboard.

From the time of the confederate descent upon Chambersburg in the fall of 1862 the military authorities in Washington and also in Pennsylvania were apprehensive of a general invasion of the State, as every action on the part of General Lee seemed to indicate a northward movement by his army, yet the winter of 1862-3 passed without serious event. However, early in May, 1863, it became evident that Lee really intended to invade the State, and communications were immediately sent to the war department urging preparations for effective defence without delay. The urgency of the appeal and the evident knowledge of Lee's intentions on the part of the war department prompted the latter, as an initial step toward a proper defence of the State, to establish two new military departments, known, respectively, as the department of the Monongahela, including the territory west of Johnstown and the Laurel Hill range of mountains, together with certain counties in Virginia and Ohio; and the department of the Susquehanna, including that part of the State east of Johnstown and

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the Laurel Hill range just mentioned. The former of these departments was placed under command of Major-General William T. H. Brooks, with headquarters at Pittsburg, and the latter under Major-General D. N. Couch, with headquarters at Chambersburg, although much of the work of organization was accomplished at Harrisburg. Both departments were established under general orders issued June 9, 1863.

The invasion of Maryland and Pennsylvania by General Lee in June, 1863, which resulted so disastrously to the confederacy and turned the general tide of victory in favor of the Union arms, contemplated in the plans of the leaders the capture of Harrisburg, the destruction of bridges across the Susquehanna river, and the transfer of the seat of war to this State. Therefore, the effective defence of Pennsylvania was also the defence of the neighboring States of New York and New Jersey.

On June 15 Lee's army crossed the Potomac at Williamsport, Md., and entered Pennsylvania territory, and on June 26 Governor Curtin issued a proclamation calling for sixty thousand men to repel the invaders and drive them from the State. In the proclamation the Governor said: "The enemy is advancing in force into Pennsylvania. He has a strong column within twenty-three miles of Harrisburg and other columns are moving by Fulton and Adams counties, and it can no longer be doubted that a formidable invasion of our State is in actual progress." In closing his appeal for volunteers the governor says: "People of Pennsylvania! I owe to you all my faculties, my labor, my life. You owe to your country your prompt and zealous services and efforts. The time has now come when we must all stand or fall together in defence of our State and in support of our government. Let us so discharge our duty that posterity shall not blush for us. Come heartily and cheerfully to the rescue of our noble Commonwealth. Maintain now your honor and freedom."

In connection with the establishment of the two new military departments an emergency call was made for the services of all the

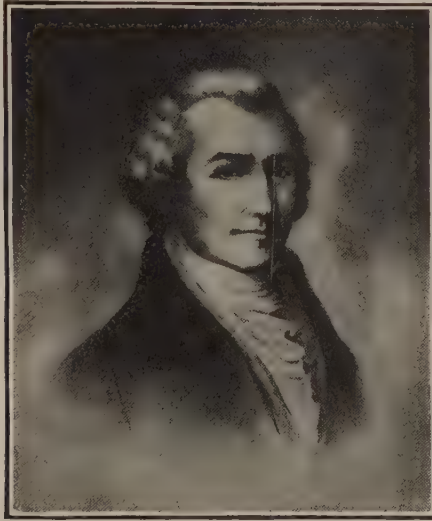
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militia strength of the State, and in response thereto there was a general and prompt compliance on the part of the freemen. They were enlisted for a period of three months, but when their services were tendered to the government the war department declined to accept enlistments for less than six months, for the purpose was not only to resist the invasion of Pennsylvania, but also to establish a guard line along the Potomac. This unhappy occurrence was the occasion of some delay and gave rise to the rumor in certain circles that our State was inclined to falter in its support of the government and the defence of its own people and property. This was an evident error, however, for no State in the Union was more loyal than Pennsylvania. But the situation was for a time embarrassing, as the enemy had actually entered the State and the approach of Lee's whole army was imminent. The President had made a requisition for calling out the militia of this and the neighboring States, and several regiments of New York and New Jersey troops were promptly sent, while our own forces were only beginning to assemble. An objection had been raised to service for six months, a part of the time outside the limits of the State, but notwithstanding that more than twelve thousand militia were mustered in for that period under the first call of the President, and when Mr. Lincoln assented to a call by Governor Curtin for men for ninety day's service in defence of the State, more than twenty-five thousand volunteers promptly entered the ranks.

Under these calls five thousand, one hundred and sixty-six men of Pennsylvania assembled in the department of the Monongahela and thirty-one thousand, four hundred and twenty-two in the department of the Susquehanna. The force thus constituted was organized by General Couch, under whom also extensive fortifications were constructed opposite Harrisburg; and the assembling there of troops and the erection of the defenses had the effect to retard the advance of the enemy and enable the army of the Potomac to arrive in time to avert a dreadful calamity; and when at last the battle of Gettysburg was fought Pennsylvania outnumbered

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bered any other State in the aggregate of troops furnished, and the city of Philadelphia had the honor to furnish a large contingent of the men from the State. Under the President's call, previously mentioned, New York sent six thousand, three hundred and eighty-five men, and New Jersey sent five hundred and two



William Bradford

Born 1755; in 1780, attorney-general of Pennsylvania; in 1794, attorney-general of United States; died 1795

men. Referring more particularly to the character of the forces and number of men furnished under the emergency calls of 1863, and to remove all question as to the loyalty of the Pennsylvania militia during that period, it may be said that in the department of the Monongahela there were raised regiments 54 to 58, one unattached company of artillery and one of cavalry, for ninety days'

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service, a total of three thousand, seven hundred and fifty men; and in the same department for six months' service, there were raised one battalion and one company of infantry, one battalion of cavalry and one company of artillery, a total of one thousand, four hundred and sixteen men. At the same time there were formed in the department of the Susquehanna for three months' service twenty-three regiments, one independent battalion, and five unattached companies of infantry, one battalion and two unattached companies of cavalry, and four independent batteries of artillery, in all a total strength of 21,292 men; and in the same department for six months' service there were raised three regiments of cavalry, two battalions of infantry and three independent batteries of artillery, in all a strength of 3,068 officers and men.

From the time when General Lee turned his forces to the northward until after the battle of Gettysburg, Pennsylvania was in a state of commotion, and all personal concerns were for the time put aside in the general desire to protect the Commonwealth and the people against the designs of the invaders. It was known that the enemy was approaching, but at what point he might first strike was wholly in doubt, except that Harrisburg, the capital, naturally would be laid under siege; but the activity of General Couch and his hastily organized army of militiamen in constructing defenses and opposing the progress of the confederates had the effect to turn Lee from his original purpose and cause him to move in another direction. And of course the crafty confederate commander was too discreet an officer to enter a new region without knowing a safe means of escape in case disaster should follow his invasion, so he held closely to the country within easy reach of the Potomac valley.

On June 15 Lee's army crossed the Potomac at Williamsport, Md., and entered Pennsylvania, encamping near Chambersburg, while small detachments were sent to occupy Carlisle, York, Wrightsville and Gettysburg. York and Carlisle were occupied on the 27th, and Wrightsville was seized on the 28th. Then the

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invaders turned to the destruction of bridges and railroads for the purpose of cutting off communication and transportation from points farther north. On the 30th the main army under Lee broke camp and marched eastward from Chambersburg through South Mountain on the Cashtown gap road. At the same time the detachments were called in and the entire confederate force was ordered to concentrate at Gettysburg.

These preliminary movements on the part of General Lee's forces were not made without some show of opposition, for he was beset on all sides by the loyal Pennsylvanians, although his detachments were not attacked. In the towns occupied the invaders seized all the stock and other property they could use, and they also committed many petty acts of destruction and wanton insult. The occupation of Chambersburg was graphically described at the time in the "Franklin Repository," and what was done there was but a repetition of the acts committed in other localities, varied only by the temper of the perpetrators in each place.

"On Monday morning, June 15th, the flood of rumors from the Potomac fully confirmed the advance of the rebels, and the citizens of Chambersburg and vicinity, feeling unable to resist the rebel columns, commenced to make prompt preparation for the movement of all stealable property. Nearly every horse, good, bad, and indifferent, was started for the mountains as early on Monday as possible, and the negroes darkened the different roads for hours, loaded with household effects,....and horses and wagons and cattle crowded every avenue to places of safety. About nine o'clock in the morning the advance of Milroy's retreating wagon train dashed into town, attended by a few cavalry and several affrighted wagon masters, all of whom declared that the rebels were in hot pursuit; that a large portion of the train was captured, and that the enemy was about to enter Chambersburg.

"On Monday morning, the rebel General Jenkins, with about 1,800 mounted infantry, entered Green Castle, Franklin county, a town five miles north of the Maryland line, and ten miles south of

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Chambersburg, in the direct route of the rebels. After a careful reconnoissance this town, being defenceless, was occupied and rapidly divested of everything movable, contraband and otherwise, which struck the fancy of the freebooting visitors. Evidently under the impression that forces would be thrown in their way at an early hour, the rebels pushed forward for Chambersburg. About eleven o'clock on Monday night they arrived at the southern end of the town, and again the streets of Chambersburg resounded to the clatter of rebel cavalry, and a second time the town fell their easy prey. This visit continued three days and was marked by a general plundering of the town and vicinity. Horses seemed to be considered contraband of war and were taken without pretense of compensation; but other articles were deemed legitimate subjects of commerce, even between enemies, and were generally paid for after a fashion. . . . The route of Jenkins was through the most densely populated and wealthy portion of the country. From this point, on the 18th of June, he fell back to Green Castle and south of it; thence he proceeded to Mercersburg, from where a detachment crossed the Cove Mountain to McConnellsburg, and down the valley from there. The main body, however, was divided into plundering parties and scoured the whole southern portion of the country, spending several days in and about Green Castle and Waynesboro', and giving Welsh Run a pretty intimate visit.

"On Tuesday, the 23d of June, Chambersburg was again occupied by the rebels under General Rodes, and the national troops under the command of General Joseph Knipe, fell back toward Harrisburg. The forces of General Rodes were the vanguard of Lee's whole army. . . . On Friday Lee came. Up to that time we knew not which way his army would turn—toward Gettysburg or Harrisburg. . . . He stopped in the Diamond, where the two roads fork. . . . He tarried a day or two near Chambersburg. The best regulated armies are encumbered with plundering stragglers. Such hung on to Lee's army and took all they

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could lay their hands upon. Hats were snatched from dignified heads, and boots were pulled from feet unused to walking home unbooted.

"Such was Lee's army on the way to Gettysburg, but how different was the return. Where they demanded before, they



Joseph Horsfield

First postmaster of Bethlehem; appointed by Washington in 1792. Reproduced especially for this work from an original miniature in possession of Dr. W. J. Holland

begged now. Franklin county saw little of the invading host on its retreat, and Chambersburg was not again visited when the retreating and defeated forces made their escape into Maryland."

While General Lee and his army were occupying the towns on the southern border of our State, the military authorities of Pennsylvania and of the general government were not idle. Every

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move of the rebels was watched with much care and occasionally some show of opposition was made by the people, although their chief attention was given to the protection of their property. The assembling of large bodies of militia and the construction of defences in the vicinity of Harrisburg undoubtedly caused the confederate commander to turn eastward from the State capital and concentrate his entire force in some more convenient locality, and thus it was that he chose Gettysburg as a point of operations.

On June 28, the army of the Potomac lay in camp at Frederick, Maryland, and on that day President Lincoln appointed General George G. Meade to its chief command, with instructions to pursue Lee and drive him from his position in this State. Acting under these orders, Meade at once informed himself of the enemy's location and then put his whole army in motion, marching toward Harrisburg, the capture of which city then was supposed to be the object of Lee's invasion. However, on the morning of July 1 Meade was told that the enemy had fallen back from the Susquehanna and was concentrating his forces in the vicinity of Gettysburg. Orders were thereupon given to General John F. Reynolds to proceed with the 1st and 11th corps and occupy and hold Gettysburg.

According to accepted authority the army of the Potomac at the time General Meade assumed its chief command numbered about 95,000 effective men, and comprised seven army corps of infantry and one of cavalry, viz: The 1st corps, commanded by General Reynolds; the 2d corps, by General Winfield S. Hancock; the 3d corps by General Daniel E. Sickles; the 5th corps by General George Sykes; the 6th corps by General John Sedgwick; the 11th corps by General Oliver O. Howard; and the 12th corps by General Henry W. Slocum. The cavalry corps was under the command of General Alfred Pleasonton.

The numerical strength of General Lee's army has been variously estimated by historians of Gettysburg, but nearly all authorities agree that the opposing forces of the two armies were

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about equal. The bravest generals of the Union and of the confederate armies were arrayed against each other in one of the most sanguinary battles of modern times, and in the same manner among the subordinate officers and in the ranks the proud chivalry of the South was pitted in deadly conflict against the flower and the youth of the North. Indeed, the battle of Gettysburg was a veritable battle of giants of intellectual fighting strength, and in its results the fortunes of the confederacy were doomed, while on the other hand, the permanency of our national government was assured. Although the territory of our State was thrice invaded by confederate forces during the war, Gettysburg was the scene of the only heavy battle on Pennsylvania soil, hence some allusion to its events is proper in this place.

On the morning of July 1st, General Reynolds marched his forces out on the Baltimore turnpike and arrived near Gettysburg at about eleven o'clock. About two miles farther west he found Buford's division of cavalry engaged in a sharp skirmish with the enemy and at once moved forward to his support. Then followed a general engagement, opening with artillery fire, followed by closer work on the part of the infantry, on the hill where stood Pennsylvania college. Early in the fight as he rode to the front to order a change in the position of his troops, General Reynolds was struck in the neck by a shot and died on the field; and thus fell one of the bravest and noblest officers of the Union army.

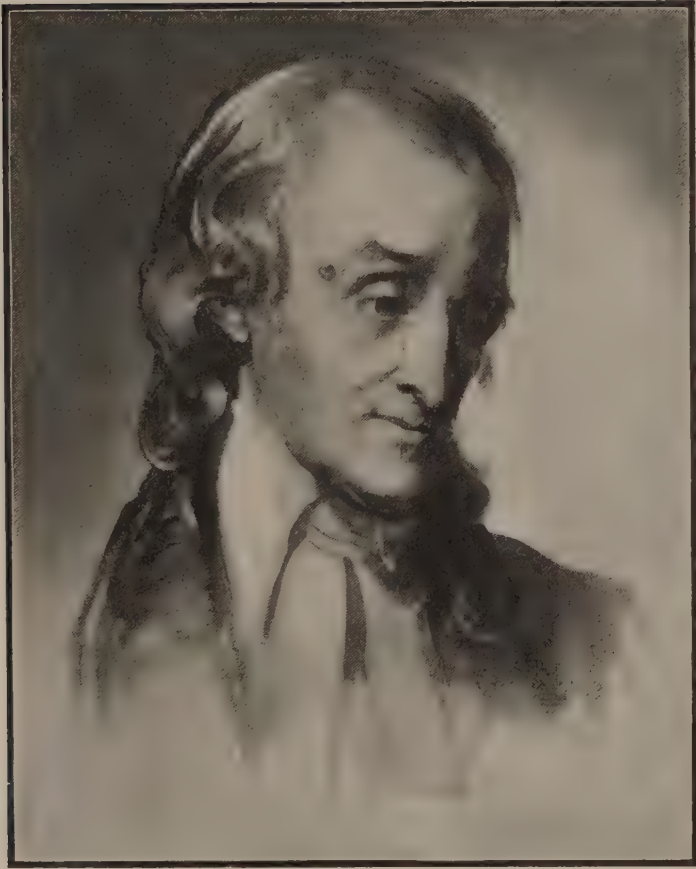
In the meantime a messenger had carried to General Meade the information that the enemy was in force near Gettysburg, and General Howard was at the same time ordered to move forward with the 11th corps. Howard ordered General von Steinwehr to post the reserve artillery of the corps on Cemetery hill and to dispose of his force so as to hold that position, and then rode forward to find General Doubleday, who had succeeded General Reynolds in command of the 1st corps, hard pressed and fighting fiercely against superior numbers. They were soon outflanked on both right and left and were sorely pressed in the center of

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their line of battle. Soon afterward the Union line was broken and retreated in haste, finding protection behind von Steinwehr's men.

When General Meade learned that the battle was in progress he advanced rapidly with his entire force, concentrated his men in front of the enemy and formed a line of battle. Says Sypher: "General Meade formed his line in the hills in the shape of a horseshoe, with the toe nearest the enemy. The 11th corps was in the center; part of the 1st (Reynolds's) and the whole of the 12th (Slocum's) corps were on the right; the 2d (Hancock's) and 3d (Sickles') were on the left. The 5th (Sykes') and 6th (Sedgwick's) and part of the 3d corps were held in reserve." Continuing, the same writer says that "a line of battle was formed during the night on the hills, to the right and left of the cemetery, on the Baltimore pike, and, when the morning of the 2d of July dawned, the national troops were strongly posted and ready for the terrible work of the day. At four o'clock in the afternoon the enemy's batteries opened a furious fire on the 3d corps, which held the left of the line; the rebels emerged from the woods and advanced against the front and right flank of this corps. General Sickles, who commanded these troops, was, at that moment, in the rear, consulting with General Meade; at the first sound of the rebel batteries he galloped forward to his men, and exerted himself with conspicuous gallantry to preserve his lines and steady his troops as they fell back across the ravine; but early in the outset he was severely wounded in the thigh, and was carried from the field. General Humphries, who commanded the advance division, made heroic efforts to retire the troops, overwhelmed by superior numbers, in good order; every staff officer, even to his last orderly, had been shot down at his side; his own horse fell under him; but still, at the head of his command, he encouraged his troops, and withdrew steadily to the line of the 5th corps."

When General Sickles fell the command of the 3d corps devolved upon General Birney, and as his line was forced back the



William White

Elected first Protestant Episcopal bishop of Pennsylvania, 1786; chaplain to Congress, 1787-1801; writer mainly on religious subjects

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advancing confederate columns came directly under Hancock's terrible artillery fire of shell and cannister, which carried fearful slaughter through the ranks as the rebels steadily advanced up the hill; but under this terrific artillery shower the attacking columns did not waver, but forced their way to the very muzzle of the guns, driving off the artillerymen at the point of the bayonet. But just as victory seemed certain General Warren's reserve batteries opened on the confederates with an enfilading fire, and with such effect that their ranks were opened in great gaps. At the same time Hancock's infantry nobly supported the artillery attack and poured death-dealing volleys of musketry into the now terror-stricken masses of the enemy, driving them back with heavy loss and recapturing the guns. The right of the rebel line was now broken, and the men fell back beyond the range of the artillery. The attack was well planned, splendidly executed, and for a time promised complete success, but the determined resistance of Hancock's artillery, with Warren's reserve batteries, together with the infantry support, changed almost certain defeat into glorious victory and turned the tide of the battle in that locality in favor of the national arms.

Although the confederates had suffered serious loss in the fighting thus far, there was no apparent sign of defeat in the action of their commanding general. The subsequent events of the day are thus described in Sypher's narrative: "At dark, a division of the enemy advanced to attack Slocum's line on the right, which had been weakened to reinforce the left, and at the same time another force made an assault on Cemetery hill, held by Howard's corps. The troops received the attack with firmness, and from their secure positions behind intrenchments and a stone wall, easily repelled the enemy; but suddenly, the brigade of 'Louisiana Tigers' sprang from its concealment in a deep ravine, and charged Howard's right. These desperate fighters rushed upon the batteries, drove the artillerymen from their guns and the infantry from their rifle-pits, and were in the act of turning the batteries

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upon the Union line, when a brigade of German troops fell upon the victorious Tigers, and in a hand to hand encounter, in which the bayonet was freely used on both sides and crushing blows from clubbed muskets were given and taken, hurled the enemy



Thayendanegea—Joseph Brant

Great Captain of the Six Nations Indians; born 1742; died 1807. Reproduced for this work from a print in possession of Mrs. William M. Darlington

from the crest; and the artillery men, with murderous rounds of grape and cannister, swept the broken regiments from the hillside. On the extreme right the enemy had forced Slocum's men from their intrenchments, and when the battle closed, at ten o'clock in the night, the rebels held the breastworks of the 12th corps, but elsewhere the line was intact. Though Sickles had lost

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a large number of prisoners, Sykes and Hancock had captured about an equal number from the enemy."

Thus closed the second day of the battle without decided advantage to either contestant. At first the tide of victory seemed to turn toward the confederates, but the advantage was only temporary and as frequently, with one exception, the forces of General Meade regained all their lost ground. But the commander of the Union forces was not fully satisfied with the results of the day, and at night he directed General Slocum to retake from the enemy the intrenchments he had been compelled to yield.

On Friday, at daylight, the battle was renewed with unabated vigor, when General Geary, commanding the left division of the 12th corps, opened his batteries on the enemy, which was responded to with a determined charge upon his line. Almost immediately Slocum's line became engaged, followed by the 1st and a part of the 11th corps, on Cemetery hill. In response to Slocum's fire the enemy charged him, but without material effect, other than than serious loss to themselves. "During six hours," says Sypher, "the rebels hurled their solid masses against well-defended lines. Nothing during the war had surpassed this scene of carnage. In front of Geary's position there were more rebel dead than there were killed and wounded in the whole line of the 12th corps. The slain were laying in heaps, wounded and mangled in every conceivable manner, from a single shot through the head to bodies torn to pieces by exploding shells."

At ten o'clock General Slocum had driven the rebels from their positions and re-occupied the intrenchments he had lost the day before. In less than an hour afterward the battle had ceased, and for nearly three hours more almost perfect quiet prevailed along the lines of both armies. This, however, was only the calm that precedes the greater storm, and was employed by General Lee in massing his artillery of one hundred and fifteen guns on an elevation about a mile in front of Cemetery hill, while beyond the woods Generals Longstreet and Hill formed their

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men in heavy columns and held them in readiness to charge General Meade's left center. Lee's purpose was to sweep the hill where Meade's strength was concentrated, silence his artillery and then with his solid columns of infantry drive the Union forces from their position. But on his own side Meade was not idle and was busy with preparations to meet the attack which was so evident to him. He massed his own artillery of seventy guns, and so disposed of his men as to afford them the best possible protection against the enemy's fire and the desperate infantry charge which was expected to follow. He also ordered his officers to respond vigorously for a time with their artillery, and then to gradually lessen their fire, and save their ammunition for an event which he hoped would and which did take place.

At about two o'clock in the afternoon the report of a single gun on the confederate side gave the signal to open fire, and immediately the thunder of Lee's artillery announced that the battle was resumed. Meade responded with his own guns and for the next two hours was waged one of the fiercest artillery duels that history records. Then Meade's guns slackened their fire, giving evidence of having been silenced, and his stratagem was successful in its results, for Lee's guns ceased firing and his infantry, three columns strong,—Pickett in the center, Wilcox on the right and Pettigrew on the left—quickly came out of the woods on Seminary ridge, descended into the valley and marched straight toward the Union lines. Fifteen thousand strong and supported by Lee's entire force, the confederates advanced rapidly, without firing a gun until the line of skirmishers engaged and drove back the outposts in front of Hancock's 2d corps. Elated with the prospect of easy victory, the rebel columns dashed forward in double-quick time, in their anxiety to charge the Union forces in their earthworks on the hill; but as the advance columns came within range of the seventy guns which were supposed to be silenced, a terrible fire, both direct and enfilading, was opened upon them, inflicting fearful loss of life, strewing the hillside with dead and wounded,

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but not checking the mad rush of the survivors. On they came, even to the cannon's mouth, and Pickett's division succeeded in carrying the intrenchments in the center, and for a brief time the colors of the confederacy were planted on the spot where Hancock's men held their position. The victory, however, was brief, as the infantry under the gallant Hancock drove the rebels back and turned them down the hill. In the meantime Howard's 11th corps batteries had driven Pettigrew's column from the slope, and Sykes' 5th corps artillery had broken Wilcox's lines and scattered his men in disorder over the field.

General Meade quickly followed up the advantage his officers had gained over the attacking confederate columns, and at once ordered General Doubleday's division to reinforce the 2d corps, strengthened his lines at every point, and ordered Hancock to attack Pickett's brigades. The orders were promptly executed, Pickett was driven back before the fierce onslaught of the now victorious Union men, and even Lee's attempt to protect with his artillery the retreat of his broken infantry columns was without material success. When Meade discovered that his victory was complete he ordered an advance of his whole line, and the famous Pennsylvania Reserves had the pleasure of driving the enemy from the position in the woods they had occupied during the early part of the day.

The day was now turning into night, the battle was ended and the Union army had achieved a splendid success. According to authenticated accounts the confederate loss amounted to 5,500 killed, 21,000 wounded, and 13,621 prisoners, a total loss of 40,121 men. On the Union side the losses were 2,834 killed, 13,709 wounded, and 6,743 missing, a total loss of 23,186.

On the night of July 3d, the broken and defeated columns of Lee's army withdrew from Gettysburg and retreated rapidly toward the Potomac. It was followed by Meade's army, but the pursuit was slow owing to the exhausted condition of the men and the serious losses sustained during the three days' fighting.

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In itself the most important contest at arms waged between the North and the South during the Civil war; in itself the most momentous and far-reaching in consequences in that it was the turning point in the fortunes of the confederacy, the battle of Gettysburg also was the immediate cause of bringing into public view several of the most distinguished military characters known to the country during the war period. Indeed, Gettysburg has been called the developer of military genius, and among Pennsylvanians in particular there appears to have been an especial bestowal of deserved military honors as a result of the achievements of that occasion. It is not the purpose of this chapter to refer to the personal valor of any officer who fought and helped to win at Gettysburg; all fought, and fought well, and as the result of their united efforts a great victory was won. That victory was not the result of the individual valor of a single commanding officer, but of all of them from General Meade down to the regimental commanders; nor was it a battle of officers alone, for they outlined the plans of attack and defence and their orders were faithfully executed by the men in the ranks, the private soldiers and artillerymen, who shoulder to shoulder handled their muskets and cannon with such telling effect, and who without flinching withstood the repeated assaults of the enemy. The victory at Gettysburg belongs to the splendid army of the Potomac that General Meade brought into Pennsylvania territory on that eventful occasion, and also in fair part to the loyal emergency militia volunteers who left their homes and work to defend the honor of the State and save its people and property from the ruthless arts of an invading army.

And Gettysburg even to this day is not forgotten, nor are its memories dimmed with the lapse of time. In the same year in which the battle was fought steps were taken to establish on the site of the three days' engagement a Soldiers' National Cemetery, and each State, which was represented by soldiers in the battle, was invited to participate in the formal proceedings looking to

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that end. This work was ultimately accomplished and to-day the Soldiers' National Cemetery at Gettysburg is one of the most frequented localities in the entire country. According to the plans of the commission that established it, the State of Pennsylvania



William Maclay

First United States senator from Pennsylvania, 1789-1791. Engraved especially for this work from an original miniature

purchased the tract for the cemetery and holds title to the land in trust for the States having soldiers buried there, and the legislature has created a corporation, consisting of one trustee appointed by each of the Governors of such States as desire to be represented in the corporation, to control its affairs.

Following the retirement of Lee's shattered and defeated army from Pennsylvania after the battle of Gettysburg there was little

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occasion for excitement within the State during the later months of the year, and the people soon returned to their accustomed pursuits. Had the result been different untold misfortunes would have been visited upon the people and the whole country would have suffered through the transformation of one of the most loyal States into the theatre of war; but owing to the determined bravery of the splendid army of the Potomac, and the hearty co-operation of the Pennsylvania, New York and New Jersey troops, the dreaded calamity was averted and peace once more reigned within its borders.

The year 1864 opened auspiciously for the Union cause, and in no locality was the changed situation more fully appreciated or more sincerely welcomed than in our own State; yet the troublous period was not ended, nor was the State to be exempt from further rebel invasion, although in his inaugural address in January, 1864, Governor Curtin was able to give assurance to his people that the war was approaching its end. He carefully reviewed the whole situation, faithfully reported all that had been done and all that was required to be done by the State, and he urged upon the people the necessity of patience and a willingness to furnish still more men should the exigencies of war demand further assistance in support of the government. Let us quote from his utterances on this occasion:

"Three years of bloody, wasting war and the horrible sacrifice of a quarter of a million lives attest the desperation of their (the confederacy) purpose to overthrow our liberties. Mourning and sorrow spread over the entire nation, and defeat and desolation are the terrible trophies won by the traitors' hand. Our people have been sorely tried by disasters, but in the midst of the deepest gloom they have stood with unflinching devotion to the great cause of our common country. Relying upon the ultimate triumph of the right, they have proved themselves equal to the stern duty, and worthy of their rich inheritance of freedom. Their fidelity has been well rewarded. In God's own good time, He

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has asserted His avenging power; and as this war is now persisted in by the leaders of the rebellion, it has become evident that slavery and treason, the fountain and stream of discord and death, must soon share a common grave.

"In this struggle for our honored nationality Pennsylvania has won immortal fame. Despite the teachings of the faithless and the hesitation of the timid, she has promptly and generously met every demand made upon her, whether to repel invasion or to fight the battles of the Union, wherever and whenever her people were demanded. Upon every field made historic and sacred by the valor of our troops, some of the martial youth of Pennsylvania have fallen. There is scarce a hospital that has not been visited by our kind offices to the sick and wounded; there is not a department in which brave men do not answer with pride to the name of our noble State, and while history endures loyal hearts will turn with feelings of national pride to Gettysburg, when the common deliverance of Pennsylvania and the Union will stand recorded in the unsurpassed glory of that bloody field."

The demands upon the State for men in 1864, in addition to the great number then in service, aggregated 91,704, and they were furnished in answer to the President's calls and the necessities of the war department, about as follows: Three years men, regiments 181 to 191, inclusive, 9,867; under call of July 6, for one hundred days' service, 7,675; under the President's authority to recruit ten new regiments under the call of July 18, for 500,000 men for one year's service, 16,094; recruits forwarded by the superintendents of recruiting service at Philadelphia and Harrisburg, 26,567; drafted men and substitutes, 10,651; enlistments in the regular army, 2,974; volunteers re-enlisted, 17,876.

In the early summer of 1864 there was rumors of another invasion of Pennsylvania by the Confederates, and so threatening was the situation in and about Washington that on July 5 the Governor issued a proclamation calling for 12,000 volunteers to serve at and in the vicinity of the national capital for a period of

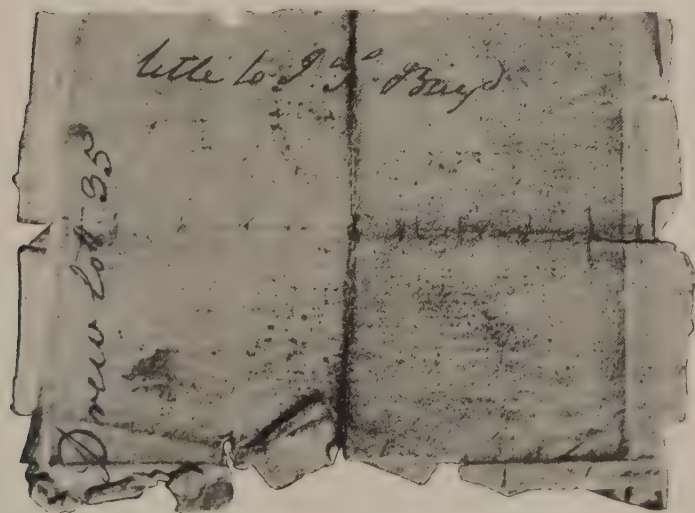
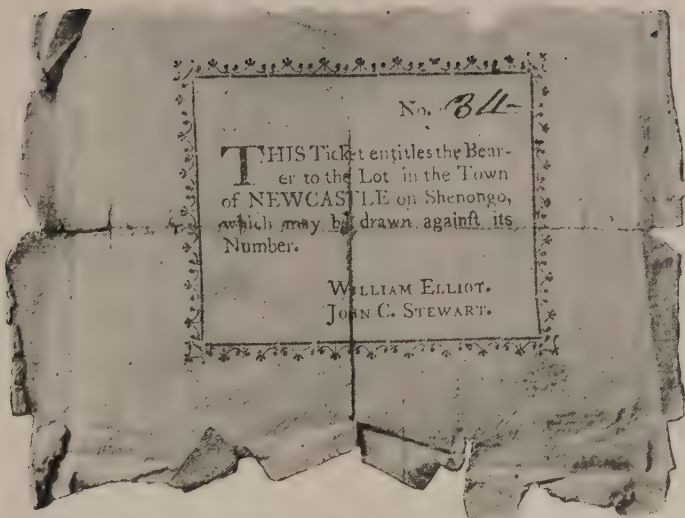
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one hundred days. Again, on July 6 the Governor issued a proclamation calling for 12,000 men to repel the invasion of a large Confederate force which had been detached from Richmond and soon afterward was found to be within the borders of the State.

However, it was not until the latter part of July that the rebels invaded the State in force and threatened serious damage to person and property. The ostensible purpose of this invasion was retaliation for the destruction of property by the Union army in the Shenandoah valley, but in fact the real purpose was wanton pillage and the hope of capturing the large quantity of military stores kept at Chambersburg. The events of this incursion into the State are well described by the Governor in his message to the Assembly convened in extraordinary session, and are as follows:

"On Friday, the 29th of July, the rebel brigades of Johnston and M'Causland, consisting of 2,500 to 3,000 mounted men, with six guns, crossed the Potomac at Clear Spring ford and marched direct upon Mercersburg. There were but 45 (Union) men picketed in that direction, and as the enemy succeeded in cutting off communication, no information could be sent to General Couch, who then was at Chambersburg. The head of this column reached Chambersburg at three o'clock Saturday morning, July 30.

"The rebel brigades of Vaughan and Jackson, numbering about 3,000 men, crossed the Potomac about the same time, at or near Williamsport, Md., and part of the command advanced on Hagerstown, the main body moving on the road from Williamsport to Green Castle. Another rebel column of infantry and artillery crossed the Potomac simultaneously at Shepardstown and moved toward Leitersburg. General Averill, who then commanded about 2,600 men, was at Hagerstown, and, being threatened in front by Vaughan and Jackson on his right, and by M'Causland and Johnston in the rear, and on the left by the columns which had crossed at Shepardstown, he fell back upon Green Castle.



New Castle Lottery Ticket—obverse and reverse

In 1796 John Carlisle Stewart made a plotted map of a part of "Stewart's Vacancy," and tickets like the above were used in raffling the lots. The illustration was made for this work from an original ticket in possession of Oscar L. Jackson

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"General Averill was under the orders of General Hunter, but was kept as fully advised by General Couch as was possible of the enemy's movements on his right and in his rear. General Couch was in Chambersburg with sixty infantry, forty-five cavalry and a section of artillery, in all less than one hundred and fifty men. The town of Chambersburg was held until daylight by the small force under Couch, during which time the government stores and train were saved. Two batteries were then planted by the enemy, commanding the town, and it was invested by the whole command of Johnston and M'Causland. At seven o'clock, six companies of dismounted men, commanded by Sweeney, entered the town, followed by mounted men under Gilmer. The main force was in line of battle, and a demand was made upon the town for one hundred thousand dollars in gold, or five hundred thousand dollars in government funds, as ransom, and a number of citizens were arrested and temporarily held as hostages for its payment. No offer of money had been made by citizens of the town, and even if they had any intention of paying a ransom, no time was allowed to do so, as the rebels began immediately to burn and pillage the town, disregarding the appeals of women and children, the aged and infirm, and even the bodies of the dead were not protected from their brutality.

"General Couch's force was too small to successfully defend the town, but he held on and made every possible attempt to retard the work of the enemy until the latter had actually entered. General Averill's command being within nine miles of Chambersburg, it was hoped he would arrive in time to save the town, and efforts were made to communicate with him; and while so waiting Couch's force held the enemy in check. At length Averill's force came, but too late for the best results, as the town had then been sacked and burned and the enemy had retired. Averill pursued and overtook them at McConnellsburg in time to save that place, and he at once gave battle and drove them to Hancock, across the Potomac."

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This was the last invasion of Pennsylvania territory by the confederates during the period of war, but the authorities were afterward on the alert to guard against similar invasions. On August 1st the Governor convened the legislature in extraordinary session to make the military power of the Commonwealth immediately available for the State as well as the national defence, and such measures were adopted as would best protect the people and property against future invasions. At the same time the work of recruiting and organizing regiments was prosecuted with dispatch, and the ranks of the depleted organizations then at the front were kept supplied with new men.

In 1865, the last year of the war, Pennsylvania furnished 25,840 men for the service of the government in addition to those already in the field. At the beginning of the year it was evident that the confederacy was doomed to downfall before the season was far advanced, yet there was no relaxation in energy or work necessary to hasten the end. On April 4th the Governor was gratified to issue a proclamation upon the occasion of the fall of Richmond, and he said: "The last center of treason has fallen. Richmond is ours; our armies entered it amid the cheers and general joy of its rescued inhabitants so long ground under the heel of usurping oppressors. The beaten rebel host is fleeing, pursued by our victorious cohorts, to be soon captured or dispersed."

The Governor also called upon all the people of the State to assemble in their respective places of worship on the following Sunday, and "render thanks to Almighty God for all his mercies, and especially for that He hath been graciously pleased to look favorably upon us and make us the instruments to establish the right, to vindicate the principles of free government, and to prove the certainty of Divine justice." On April 19th, scarcely more than two weeks later, Governor Curtin felt called upon to issue another proclamation, of a character less enjoyable than that which announced the fall of Richmond, for now the Presi-

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dent had fallen under the death blow of an assassin, and the Governor asked his people to suspend all business pursuits and pay a mark of respect in connection with the passage through the State of the remains of Abraham Lincoln. On the 20th another proclamation announced an offer of a reward of \$10,000 for the capture within the State of J. Wilkes Booth, the slayer of the



Fort LeBoeuf, Erie County, built 1796

From a sketch made especially for this work

President; and on the 26th still another proclamation set apart a day of humiliation and mourning for the death of the late President. However, the proclamation of June 10 was of a less mournful character in that it was a congratulatory address to the people of Pennsylvania upon the close of the war.

In his annual message in 1866, the Governor says "that notwithstanding the large expenditures by the State for military purposes since the breaking out of the rebellion, the condition of the treasury is now \$2,555,579.13 better than it was then, and

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I am proud to be able to state that on the 1st of last December (1865) the State debt was less than on January 1, 1861." Certainly this was reassuring to the people and was only another evidence of the wonderful strength of the financial resources of the Commonwealth. In some other States the close of the war found the treasury almost drained of funds while the indebtedness created by the war threatened serious embarrassment.

In the message the executive reviewed at some length the military history of the State during the war, and, among other things, he said: "It is our proud privilege to have it remembered that the first military aid from the loyal States, which reached Washington, was the force of four hundred and sixty Pennsylvanians who arrived there on the 18th day of April, and that when the capital of the nation was the second time threatened after the battle of Bull Run, the regiments of the Pennsylvania Reserve corps were the first troops sent forward. . . . From the beginning of the war to its close, the State has never faltered in its support of the government. . . . Our armies were sustained and strengthened in the field by the patriotic devotion of their friends at home; and we can never render full justice to the heaven-directed, patriotic christian benevolence of the women of the State. . . . It is with a sense of unfeigned gratitude that I acknowledge how cheerfully and promptly the legislature and the people acted on my suggestions, whether for the support of the government, the enlistment and organization of troops, or for the comfort of our people already in the field."

After the close of the war the remaining years of Governor Curtin's administration were devoted to the work of re-establishing the economy of the State government, and the care and maintenance of those interests which had suffered most during the eventful period just passed. This work called for the joint and earnest endeavors of the executive and legislative branches of government, and often perplexing questions were brought before the official bodies for settlement. But they were all fairly dealt

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with, and when the Governor retired from office at the close of his six trying years of labor, he carried with him the gratitude and esteem of the whole people of the State; and there was full meaning and sincerity in his words when in his last annual message he spoke as follows:

"I cannot close my last annual message without renewing the expressions of my gratitude to the freemen of the Commonwealth for the hearty approval with which they have cheered the labors of the executive office. To have earned such approval by my official conduct during the last six years must always be a source of pride to myself and children. Without the consciousness that I was endeavoring to deserve their approval, and without the hope that I should succeed in attaining it, I must have sunk under the responsibility of my position. It was only a reliance on Divine Providence and the active, resolute and hearty support and zeal of the people and their representatives that encouraged me during the dark and terrible crisis through which the country has passed. I tried to do my duty to my country, and I know that I was at least faithful to her in her deep distress, and I conceived that duty not to be limited to the merely putting of men into the field to suppress treason and rebellion, and maintain the national life, and doing of everything in my power to sustain the just war forced upon us. I also felt bound, as far as I could, to protect and promote the rights and comforts of our volunteers, after they had left the State, to aid and relieve the sick and wounded, and to care for the transmission to their bereaved families of the precious bodies of the slain, and the maintenance and education of their orphans as honored children of the country."

From the earliest years of the war the honor of the State was pledged to the maintenance of those who were incapacitated for accustomed employments as a result of their service, and also those who were widowed or orphaned or made charges upon the public by reason of loss of parental care. This pledge has been fully kept, and as early as 1863 a plan was adopted for the edu-

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cation and maintenance of destitute orphans of soldiers, although the generous pension system established by the national Congress has relieved the State of much of its direct obligation to extend support to those who were made to suffer through their service to the government. However, in the fulfillment of its voluntary offer, the State in 1885 established and now maintains at Erie the Pennsylvania Soldiers' and Sailors' Home, where are supported nearly five hundred dependents on the bounty of the Commonwealth; and in addition thereto there are likewise maintained at the expense of the State three Soldiers' Orphan schools, located, respectively, at Scotland, Franklin county, Chester Springs, Chester county, and Uniontown, Fayette county.

CHAPTER XVIII.

GEARY'S ADMINISTRATION—1867-1873

THE close of Curtin's administration marks the end of the war period in Pennsylvania history. The State had borne an honorable and conspicuous part in the great struggle between the two sections, and her own soil was rendered consecrated ground by the blood of heroes.¹ Promptly did the soldiers of Pennsylvania answer their country's call, and promptly did they sheathe their swords when the battle's din was over. With the return of peace, there followed unusual activity in business; and the energies of the people were all directed towards the development of the great resources of the Commonwealth.

Governor Curtin retired from the executive chair, honored by all parties as a zealous defender of the constitution. He was succeeded by John W. Geary, one of the heroes of the war, a native of Westmoreland county, Pennsylvania. General Geary was nominated by the Republican party in the spring of 1866, while his Democratic opponent was Hiester Clymer. Geary's candidacy was everywhere received with favor and he was elected by a majority of over seventeen thousand votes. He was inaugurated on January 15, 1867. Re-elected for a second term, his administration continued until January 21, 1873.

General Geary became Governor of Pennsylvania with a wide experience in both civil and military affairs. Born in Westmoreland county in 1819, he received his education in the common schools, and finally graduated from Jefferson College. He then

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began the study of law and was admitted to the bar. While in college he became proficient in civil engineering studies, and he afterwards passed some time in engineering work in Kentucky. In 1844 he was appointed assistant superintendent and engineer of the Allegheny Portage Railroad; but on the declaration of war with Mexico in 1846 Geary enlisted a company, and soon received a commission as Lieutenant-Colonel. He was slightly wounded at Chapultepec; but, continuing in the service, became Colonel of a regiment after the surrender of the city of Mexico. He then assisted in organizing civil institutions in California. In 1849 he was appointed postmaster of San Francisco and mail agent for the Pacific coast. In a few months he was elected First Alcade of the city, his duties including those of Judge of First Instance with wide civil and criminal jurisdiction. In 1850 Geary was elected Mayor of San Francisco, but declined a re-election. Returning to Western Pennsylvania, he took up a farm, and entered upon the business of stock raising. In 1855 he was again urged to accept public office, the governorship of Utah, which he declined. A year later, at the earnest solicitation of the President, he became Governor of Kansas, then a scene of strife and bloodshed. He was soon able to establish the supremacy of the law, and he held this office until the accession of Buchanan to the presidency, when he resigned and returned to his Pennsylvania home. On the outbreak of the rebellion, Geary promptly responded to the call to arms. He raised a regiment, the 28th Pennsylvania, and was commissioned its Colonel. In 1862 he was promoted Brigadier-General of volunteers. He was wounded at Cedar Mountain; but on his return to duty he was assigned to the command of the second division of the Twelfth Corps. He was present at the engagements of Fredericksburg, Chancellorsville, Gettysburg, and Lookout Mountain. He participated in Sherman's march to the sea, and was appointed Military Governor of Savannah. After the grand review at Washington, he was mustered out of service, and returned to his farm in Pennsylvania. He was not permitted

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to enjoy very long his favorite pursuit of agriculture, being called to the chief magistracy of the State in the October election of 1866. Governor Geary expressed his personal feelings of responsibility, at his inauguration in January, 1867, as follows: "Profoundly sensible of everything that is implied by this manifestation of the people's confidence, and more deeply impressed with the vast importance and responsibility of the office than elevated by its attendant honors, let it be our first grateful duty to return fervent thanksgivings to Almighty God for His constant providence and innumerable blessings to us as a people; and especially mine to implore His aid and counsel in the discharge of civil trusts, who has been my shield and buckler amidst scenes of peril and death. That in the administration of government I may err is only what should be expected from the infirmities of the human mind; but as I enter upon the discharge of my responsible duties with a firm resolution to act with honesty and impartiality, I trust my errors will be regarded with charity, and treated with the gentleness of magnanimous forgiveness. I earnestly hope that my intercourse with my fellow-citizens of the Senate and House of Representatives will be so frank and cordial that our duties to a common constituency will be pleasantly as well as faithfully discharged. Different branches of the government as we are, with distinctive duties, we are, nevertheless, parts of one organized and well-regulated system, and, as we co-operate or disagree, the interests of the State will probably be promoted or retarded. Elected by the people, and desirous to promote the welfare of every citizen, mere party differences should not be allowed to interfere with the maintenance of a generous, just, and comprehensive public policy."

Pennsylvania shared the general prosperity of the nation after the war; therefore, Geary's administration is marked by a great reduction in the State debt, and by vast industrial development. The Commonwealth showed a generous spirit toward those citizens who had suffered property losses during the war. The south-

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ern border counties had been ravaged by the several rebel invasions, and by the movement of Union troops through that region. In order to compensate those "whose property was destroyed,



Homestead of General David Mead

General Mead early fitted up a block house for the safety of his neighbors and in the winter of 1798-99 had opened in it the first Crawford County school; the tablet in front of the Mead house reads: "This house was erected May, 1797, by General David Mead; founder of Meadville; ensign in the war of the American Revolution; major-general of the 14th and 15th divisions Pennsylvania militia; rendered signal service in the war of 1812; and an associate judge at time of his death. Placed by the Col. Crawford Chapter Daughters of the American Revolution, May, 1902." From a negative made especially for this work.

damaged, or appropriated for the public service, and in the common defence in the war to suppress the rebellion," the legislature passed an act on April 9, 1868, providing for the appointment of commissioners for the adjudication of all claims. Allowance was

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made for damages in many cases; while the national government also made appropriations for some of the losses sustained.

On April 22, 1858, an act of the legislature was approved "to contract for and superintend the erection of a monument to the memory of citizens of Pennsylvania who were slain or lost their lives in the late war with Mexico." Commissioners were appointed to superintend the erection of this monument on the grounds of the Capitol at Harrisburg. The sum of \$6,000 had been appropriated for this purpose; it appears, however, that this sum was not adequate, for Governor Geary, in his message of 1868, asked for \$2,200 additional in order to complete the shaft.

During Governor Geary's administration of six years, the State debt was reduced over ten million dollars, notwithstanding the fact that legislative appropriations were of the most liberal character, those to schools and charitable institutions alone exceeding seventeen million dollars. At the same time, the whole current of legislation was in favor of reduced taxation. Besides a number of local laws exempting churches, cemeteries, schools, hospitals, and other institutions from taxation, the following general laws of the same character were passed:

"(1) By the act to amend the revenue laws, approved February 23, 1866, all real estate in the Commonwealth was thereafter made exempt from taxation for State purposes.

(2) By the act approved March 30, 1866, all persons who served nine months or upwards in the military service, or who were honorably discharged therefrom by reason of wounds or physical disability contracted therein, and their property, were exonerated from all bounties, and per capita tax, and military fines.

"(3) The act of April 29, 1867, repealed all laws requiring payment of taxes to the State on sales of loans and stocks by auctioneers.

"(4) By the act of April 10, 1867, all trustees, or owners of property to the value of thirty-five thousand dollars, used for sol-

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diers' orphans' schools, were exempted from all county, road, city, borough, poor and school taxes.

"(5) By the act of April 4, 1868, and the supplements thereto, all mortgages, judgments, recognizances, and moneys owing upon articles of agreement for the sale of real estate, were made exempt from all taxation, except for State purposes.

"(6) By the act approved January 3, 1868, all laws therein recited were repealed, which imposed taxes upon the shares of stock held by any stockholder in any institution or company, incorporated under the laws of this State, which in its corporate capacity is liable to, and pays into the State treasury the tax on capital stock imposed by the acts therein recited.

"(7) The act of June 2, 1871, repealed so much of the law of April 29, 1844, as imposed a tax of two per cent. on salaries, trades, offices, occupations and professions.

"(8) By the act of April 3, 1872, the sixth section of the law of April 21, 1854, was repealed, which imposed a tax of one-half of one per cent. on the capital stock of all corporations created under laws to enable joint tenants, tenants in common, and adjoining owners of mineral lands, to manage and develop the same."¹

While these measures relieved thousands of people from the burdens of taxation, Governor Geary believed that the work of reduction should extend much further. In his last annual message to the Assembly, Jan. 8, 1873, he referred to this subject as follows: "Nothing but very strong necessity could justify such a variety of taxes upon the same thing. And if any justification ever existed, I believe it to exist no longer. The time has come when, with proper diligence in collection, and economy in expenditures, the State can well afford a reduction of taxation; and legislation in that direction should be such as to relieve the undue burdens of taxation from every form of productive industry. I

¹"Pennsylvania Archives," Fourth Series, vol. 9, p. 142.

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would, therefore, recommend that the enrolment tax upon private acts chartering industrial companies, and the bonus upon stock of such companies when organized under general laws, be considered a full equivalent to the Commonwealth for the privileges of a charter; and that all State taxes upon capital stock, net earnings and dividends of manufacturing, mining and improvement companies, and all co-operative associations, be repealed. This reduction will amount to \$549,554.23—the sum collected last year. I also recommend the repeal of that source of revenue known in the Auditor-General's report as taxes on loans, which amounts to \$492,407.28. It is confidently believed that with these proposed reductions, which amount to \$1,041,961.51, the State can still pay all her current expenses, the interest on the public debt, and make an annual reduction of at least one million, five hundred thousand dollars upon the principal."¹

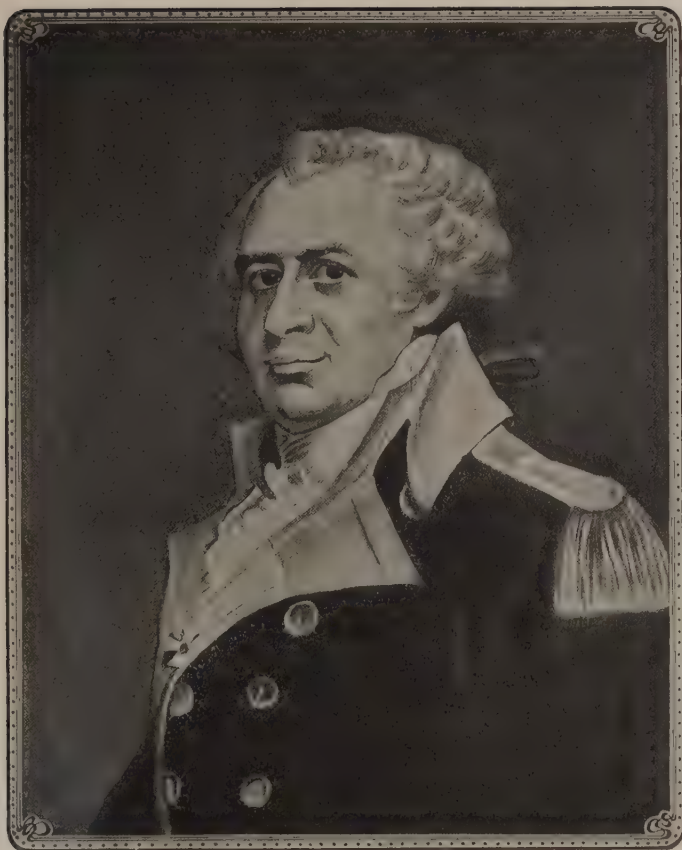
During the six years of Geary's administration, the school system of the State flourished and grew in popular favor. The total expenditures for public education in this period exceeded forty-two million dollars. The legislative appropriations amounted to about six hundred thousand dollars annually, the remainder being raised by local taxation. At this time, James P. Wickersham was Superintendent of Common Schools, receiving his appointment in the spring of 1866, and serving until April 1, 1881, a period of fourteen years and five months. Mr. Wickersham was a man of rare executive abilities, and the school system of the State as it exists to-day owes much to his untiring efforts in behalf of popular education. In referring to his appointment, Mr. Wickersham said: "The war was over. The armies had been disbanded. The industries of peace had begun to flourish anew. The nation seemed about to take a fresh start in life. Business interests of all kinds betokened a stir, and a strength unknown before. It was the forces generated in the recent struggle turned

¹"Pennsylvania Archives," Fourth Series, vol. 9, p. 145.

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into new channels. With this material development, there came such a quickening of intellectual activity, and such a breaking up of the old conservative crust that had long obstructed all educational progress, as to give a promising outlook to the future of school affairs. A well-directed forward movement seemed certain to succeed. The iron was hot, and only waited for the timely stroke."¹ Mr. Wickersham was undoubtedly the man of the hour, and under his leadership the whole school system began to feel the impulses of a new life. His high ideals have not yet been fully realized. It was his desire to enlarge the scope and powers of the Department of Common Schools, so as to give it ample authority over all the educational institutions of the State, thus unifying the various school interests and making an harmonious system from the lower schools through the colleges and universities. The plan was not adopted; but we look back in regret to-day, and realize what a grand opportunity was lost by the State to create a vigorous Department of Education, and at the same time form a comprehensive system of public instruction. Mr. Wickersham deplored this condition of affairs, and, in one of his reports, said: "We must have union and harmony among those who are striving to reach the same goal. We must move upon the strongholds of ignorance in solid column, not in broken detachments. The cause of education suffers from clashing interests and divided efforts in its behalf. Our common schools do not enlist as fully as they deserve the sympathy of educated men. Our youth, by hundreds, are going out of the State for an education which they ought to receive at home, and our colleges and academies are attracting comparatively few students from abroad. Our charitable institutions, which have in many respects common aims and common interests, have not, as at present managed, any system of communication or bond of union. There must be a new awakening. Pennsylvania has a giant's power; it must be evoked."

¹Wickersham's "History of Education in Pennsylvania," p. 551.



Thomas Mifflin

Delegate to Continental Congress, 1774; first aide-de-camp of Washington in Revolutionary war, with rank of colonel; quartermaster-general Revolutionary army, 1775; commissioned brigadier-general, 1776, and major-general, 1777; congressman, 1783; speaker State Legislature, 1785; delegate to Federal Constitutional Convention, 1787; president State Supreme Executive Council, 1788-1790; presided over State Constitutional Convention, 1790; first State governor, 1790-1799

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The department of public instruction was thus in able hands during Geary's administration, and the Governor, in his messages, frequently referred to the satisfactory progress of the schools. The soldiers' orphan schools, founded in 1865, also received generous support from the legislature, in seven years over three million dollars having been expended on these institutions. The Governor, a soldier himself, took a pardonable pride in these schools, and in his message of January 8, 1873, he referred to them as follows: "Among the other States of the American Union, Pennsylvania stands pre-eminent in her care for the soldier who has borne the battle, and for his widow and orphan children. The noble scheme for clothing, educating, maintaining and adopting the orphan children of her soldiers who gave their lives in defence of the National Union—in this the generosity of her people has been imitated, but not equalled by those of any other State. To her will forever be accorded the leadership in this work of patriotic benevolence. It will form the brightest page of her history. It will seal the devotion of her people to the common country; and our legislators, in view of its benign influence, will continue to accord a cheerful and liberal support to a system so fruitful in blessing to the orphan children of our martyred heroes."

With the growth of various State institutions it became necessary in Geary's administration to organize several bureaus and boards, the first of which was the board of Public Charities established by an act of the legislature in 1869. The Governor appointed General Thomas L. Kane, F. B. Penniman, Esq., Hon. G. Dawson Coleman, and George L. Harrison, Esq., as members of this board, upon whom was placed the responsibility of managing public charities. These gentlemen were also vested with the authority to inspect all the establishments receiving appropriations from the State, thus giving an assurance to the legislature and the people that their benefactions were worthily bestowed. The Board of Charities also made a careful investigation of prison discipline, and of the condition and treatment of the insane, embody-

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ing the whole in an elaborate report, containing a large amount of statistical information.

By an act of the legislature, approved April 12, 1872, the bureau of Labor Statistics and of Agriculture was established, and the Governor was authorized to appoint a commissioner of that department. Governor Geary appointed Thomas C. MacDowell, of Dauphin county, to this office, and he immediately began the work of collecting statistics, which in due time were laid before the legislature. The rapid development of the State in industrial wealth fully justified the creation of this bureau. In 1872, Pennsylvania ranked second in population; second in manufactures; sixth as a wheat producing State, and first in mineral wealth and resources, among the States of the Union. The production of anthracite coal in 1870 exceeded nineteen million tons; while the bituminous output the same year was more than fourteen million tons. The production of oil in the northwestern counties in 1868 was 327,692,524 gallons. The statistics in other lines of industry also showed a marvelous increase in wealth. Thus, the new bureau found an inviting field for gathering statistics, which would not only furnish information for the legislature, but also invite the attention of capitalists by reliable statements of facts.

On September 18, 1872, a convention of delegates from the States of Pennsylvania, West Virginia, Indiana, Illinois, Ohio, Kentucky, and Tennessee met in Cincinnati for the purpose of considering the improvement of navigation on the Ohio river. The convention remained in session two days, and appointed committees on statistics, legislation, water supply and available reservoirs, and an executive committee with power to act in the intervals of the regular sessions. Mr. Thurston, one of the delegates from Pennsylvania, prepared and submitted an exhaustive memorial covering every phase of the subject, urging the States concerned to contribute funds for making necessary improvements on the river, and also inviting the attention of Congress to the

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enterprise. Governor Geary was enthusiastic over the matter, and he spoke of it in his message of January 8, 1873, as follows: "The claims of this subject to your prompt and favorable consideration and that of Congress will hardly be questioned when it is remembered that it is presented by gentlemen who represent one-half of the population of the country; that the people who



Old Mifflin Mansion

Residence of Pennsylvania's first governor

would be directly or indirectly benefited by the contemplated improvement possess one-half of its cultivated lands, raise sixty per cent. of its agricultural products, breed sixty per cent. of its live stock, over fifty per cent. of its capital invested in farming implements and machinery, and have, heretofore, paid thirty-five per cent. of its internal taxation, and contributed a corresponding share toward the payment of the national debt."

There was but little disorder within the borders of the State during Geary's administration. In 1868, there was a strike of

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the anthracite coal miners for an eight-hour day; but it was not successful. It resulted, however, in a strong organization of the miners, which exists to our own day, having only recently demonstrated its power in the greatest coal strike of all history. In 1871, there was a strike in Luzerne county against a reduction of wages. The riotous condition of affairs in that region made it necessary to call out the National Guard. The presence of the soldiers at Scranton gave ample protection to that city; otherwise it might have been reduced to ashes, and many lives might have been lost. The expenses necessary for the suppression of these disturbances were considerable, amounting to nearly thirty-eight thousand dollars, which sum was appropriated in full by the legislature. The troubles which led to this strike were finally settled by arbitration, one of the first instances, it is said, where this method was used for the settlement of disputes with the laboring classes.

Governor Geary exercised a free use of the veto power, thus preventing much vicious special legislation, and, at the same time, saving the State many million dollars. His most noted veto was that on April 7, 1870, of Senate bill No. 1070, which provided that nine and one-half million dollars should be drawn from the sinking fund of the State in aid of certain railroads. In vetoing this measure, the Governor said: "Every one familiar with the history of our State constitution knows the objects for which these clauses were inserted and adopted. Our State has been cursed with omnibus legislation, enacted by what, in common legislative parlance, was known as the system of log-rolling. Measures which alone could not stand upon their merits, and which often had no merits on which to stand, were fastened together in one bill, and by ingenious combinations of local interests, the most incongruous, and sometimes iniquitous provisions, were forced through in the same act. Essentially diverse, conflicting, and even rival and hostile interests and parties, who could agree upon nothing else, were thus induced to unite in a common raid upon

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the treasury of the State. This evil became in time so intolerable that the people were at last compelled to protect themselves against it; and they did so by these plain constitutional prohibitions. The people in their sovereign capacity, declared and wrote it in their constitution that 'no bill should be passed by the legislature containing more than one subject;' and that 'no law hereafter enacted shall create, renew or extend the charter of more than one corporation.'" This veto message stands as one of Governor Geary's most important state papers. It pointed out in no uncertain language the evils of special and omnibus legislation so prevalent at the time, but which were at last removed in the new constitution of 1873.

The year 1872 is interesting both in national and in State politics. In that year was held the election for President of the United States and also for Governor of Pennsylvania. General Grant was re-nominated for President by the Republican party; but a formidable opposition had been growing, which united under the name of the Liberal Republican party and nominated Horace Greeley. Then followed one of the most remarkable presidential campaigns in all our history. It naturally affected the local elections in every northern State. That year the Republicans of Pennsylvania nominated General John F. Hartranft for Governor; while the Democratic standard bearer was Charles R. Buckalew. Both candidates were well and favorably known—Hartranft as a gallant general in the Civil war, and Buckalew as United States Senator from Pennsylvania between 1863 and 1869. The national contest had marked effects upon the State campaign, many prominent Republicans, including Curtin, joining the Liberal movement. But Hartranft was elected, and, like Geary, he served a second term, his administration ending in 1879. On retiring from office Governor Geary paid the following gracious compliment to his successor: "Major-General John F. Hartranft signally has illustrated his courage and patriotism on many fiercely contested fields of battle; and qualities that have made his repu-

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tation as a soldier, have been no less conspicuous in the pursuits of civil life. He will bring to the discharge of his duties a large and valuable experience in the management of public affairs; and all that is known of his antecedents may be regarded as a guaranty for that confidence of the people who have elevated him to the gubernatorial chair by so large a majority. I bespeak for him your hearty co-operation in guarding and advancing the public interests."

Governor Geary was not permitted to long enjoy the retirement of private life, death suddenly calling him on February 8, 1873.

CHAPTER XIX.

HARTRANFT'S ADMINISTRATION—1873-1879

JOHAN FREDERICK HARTRANFT, the new Governor, who was inaugurated on January 21, 1873, was born in Montgomery county, Pennsylvania, of German ancestry, in 1830. He was educated at Union College, and intended to follow the profession of civil engineering. He abandoned this plan, however, and in 1854, was appointed deputy sheriff of Montgomery county, a position which he held for two terms. In the meantime he began the study of law, and in 1859 was admitted to the bar of his native county. Mr. Hartranft was by nature a soldier, and early in life became prominent in militia affairs. At the outbreak of hostilities in 1861, he became Colonel of the first regiment of Montgomery county militia, which was at once mustered into active service. Colonel Hartranft acted for a while on the staff of General Franklin. Then he organized the 51st Pennsylvania Infantry, and participated with Burnside's command in the North Carolina expedition of 1862. At the battle of Antietam, he led the famous charge at the stone bridge, after which he was promoted to the command of a brigade, and then of a division. He took a prominent part in the battle of Spottsylvania, and was soon commissioned as a Brigadier-General. For gallantry in recapturing Fort Steadman in 1865, he was brevetted Major-General. Prof. W. J. Wells, of Norristown, who served in the war with General Hartranft, has elo-

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quently described his superb qualities as a soldier in the following beautiful language:

"The first time I saw Colonel Hartranft, for he was then a Colonel, was when, down on the coast of North Carolina upon Hatteras Island, the regiment to which I belonged was separated from the entire army upon that bleak and barren shore. When the flotilla came down under General Burnside for the purpose of establishing the Union army upon the coast of North Carolina, the General, or the Colonel at that time, rode into our camp, and from that moment, when I saw him sitting superbly upon his noble steed (and all know how grandly he sat on that steed) I have loved him. I was eager at that time to inquire who he was. How many a time after that did I see him at the head of that gallant regiment in front of his colors, sweeping down upon the enemy of his country and gallantly performing the duties assigned him! He was no braggart; he was no boasting soldier; he was quiet and unassuming. I saw him at the battle of Bull Run, the second, ride at the head of that brigade, covering the retreat from that disastrous field. I heard his ringing voice to his men, 'Steady, steady; we are not yet retreating; we are merely changing position.' I saw him again at Chantilly but a few days afterward, when those two gallant soldiers, the brave Phil. Kearney, the one-armed hero of the Potomac army, and the brave Stevens fell. There, too, our gallant soldier and townsman rescued the army from impending doom. I saw him again at Antietam after two brigades had failed to take the bridge; I saw him file out of the woods on to the bridge with his command, and at its head (for it was a narrow bridge), and as he was pressing forward and it was being swept with shot, shell and bullet, he bowed his head to the storm and shouted, 'Follow me, boys!' I see him sweep away on the hillside. I see his gallant front face the enemy upon the ridge, and when out of ammunition, the 48th advanced to relieve him. There it was that the gallant Hartranft said to Colonel Siegfried, 'Never mind, Col-

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onel, we have but one round of ammunition left, but if they come too close we will give them the cold steel.' That was the material of which our gallant soldier was made. I saw him again at Knoxville. Our pickets had been driven in during the night, and the next morning he came out, and again at the front of the brigade he swept them back and re-established the Union line. I saw him again at Fort Steadman, where he performed the greatest and most gallant deed performed probably by any single division commander in the history of the war, when he went in with a division of troops never yet under fire and conquered one of the best soldiers in the Confederate army."

At the close of the Civil War General Hartranft declined a command in the regular army, having decided to return to his native county. He was immediately called into the service of the State, however, being elected in 1865 to the office of Auditor-General, a position which he held for two terms. Governor Hartranft's administration of six years covered an eventful period in the history of the Commonwealth. Among many subjects of popular interest, the Constitutional Convention of 1873, no doubt, occupies the chief place. There has been no change in the organic law of the State since the adoption of the constitution of 1838, with the exception of an amendment in 1850, making all the judges of the courts elective. Again, in 1857, the constitution was amended, creating a Sinking Fund, and regulating the public debt and legislative districts; while the last amendments were those of 1864, conferring the right of suffrage upon those engaged in the military service of the State or Nation, and imposing various restraints on the power of the legislature. Ever since the constitution of 1838 went into effect, the State was menaced with the vicious results of special legislation. The governors had complained of the evil from time to time, in their messages to the legislature; but nothing definite was accomplished to bring relief until 1871. In his annual message to the legislature of that year, Governor Geary called attention to the chief

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defects in the constitution. The Governor said: "Practically, the whole theory of our constitution and government is subverted and destroyed by the present system of local enactments. Representative government is based on the idea that the laws shall be framed by, and be the result of, the collective wisdom of the people's representatives. But what are the actual facts? The minds and efforts of the members are so wholly absorbed by



Old Court House, Lancaster

Seat of the State government from 1799 to 1812; building erected 1784-1787. Reproduced especially for this work from an old engraving

private and local bills that it is almost impossible to get a general or public act considered or passed. The special and local bills are usually drawn by the members representing the locality, or by some one from the district interested in the proposed law. By what is called courtesy, it is considered a breach of etiquette for any member of the Senate or House to interfere with or oppose a merely private or local bill of any other member. The result is the bills are passed as originally prepared, without examination or comparison of views—often crude and ill-digested, and without regard to constitutional requirements or

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sound public policy. Some of the worst of these hasty and badly considered enactments are arrested every year by executive interposition; but in the nature of the case, the veto at best can only be made a partial restraint upon the evil, and nothing can eradicate it short of constitutional prohibition."

Following the suggestions of Governor Geary, the legislature on June 2, 1871, passed a resolution to submit the question of calling a convention to amend the constitution to a vote of the people at the next general election on the second Tuesday of October in that year. At this election, the vote in favor of holding a constitutional convention was 316,097, to 69,715 against the measure. This was followed by the act of the legislature on April 11, 1872, making detailed provisions for calling the convention. The delegates were to be elected on the second Tuesday of October, 1872, and in order to remove all political bias in the choice of the same, the principle of minority representation was followed.

The delegates, one hundred and thirty-three in number, assembled in convention in the hall of the House of Representatives, Harrisburg, on November 12, 1872. Hon. William M. Meredith was elected President of the Convention, and served until his death, August 17, 1873, when Hon. John H. Walker, of Erie county, was chosen, on September 16 of that year, to succeed him. After completing the work of organization, the Convention, on November 27, adjourned to meet in the city of Philadelphia, on January 7, 1873. Here a new constitution was drafted and adopted, after which it was submitted to the people on December 16, 1873, and approved by a vote of 263,560 to 109,198.

The Constitution of 1873 presents many new features which will now be considered at length. Members of the State Senate are to be elected for four years instead of three, and of the House for two years instead of one. The sessions of the legislature are biennial instead of annual; but the Governor may convene the

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two Houses upon extraordinary occasions, and the Senate alone for the transaction of executive business. There is also an increase in the membership of both branches of the legislature. One of the most important changes in the legislative department is the prohibition of special and local legislation. There are thirty-three sections in this article, the purpose of which is to elevate the general character of the laws. The Governor's term of office is increased to four years so as to correspond with the change made in the legislative terms and sessions. The office of Lieutenant-Governor is created, whose duty it is to preside over the Senate, and to act as Governor in case of the death, incapacity or removal of that official. The Governor is not eligible to the office for the next succeeding term. Several changes are made in the tenure and mode of electing the judges of the courts. In the qualifications for voting, the word "white" is dropped, and the right to vote is extended to every male citizen, twenty-one years of age, who shall possess United States citizenship for one month, residence in the election district for two months, residence in the State for one year, and who shall have paid a State or county tax one month before election. General elections are fixed on the Tuesday next following the first Monday of November, so as to correspond with the date of the Presidential and Congressional elections; while local elections are held on the third Tuesday in February. The constitution provides against an increase of the State debt, and limitations are set upon the creation of debts by municipalities. Taxation is to be equal upon all property of the same class, while the property exempt from taxation is carefully defined. Many important regulations are introduced for the government of counties, and the terms of all county officers are fixed at three years. Provision is made for the incorporation of cities containing ten thousand inhabitants, upon demand of the people thereof; also, that every city must establish a sinking fund for the payment of its debts. The article on private corporations is almost entirely new. Corporations are to be confined to the busi-

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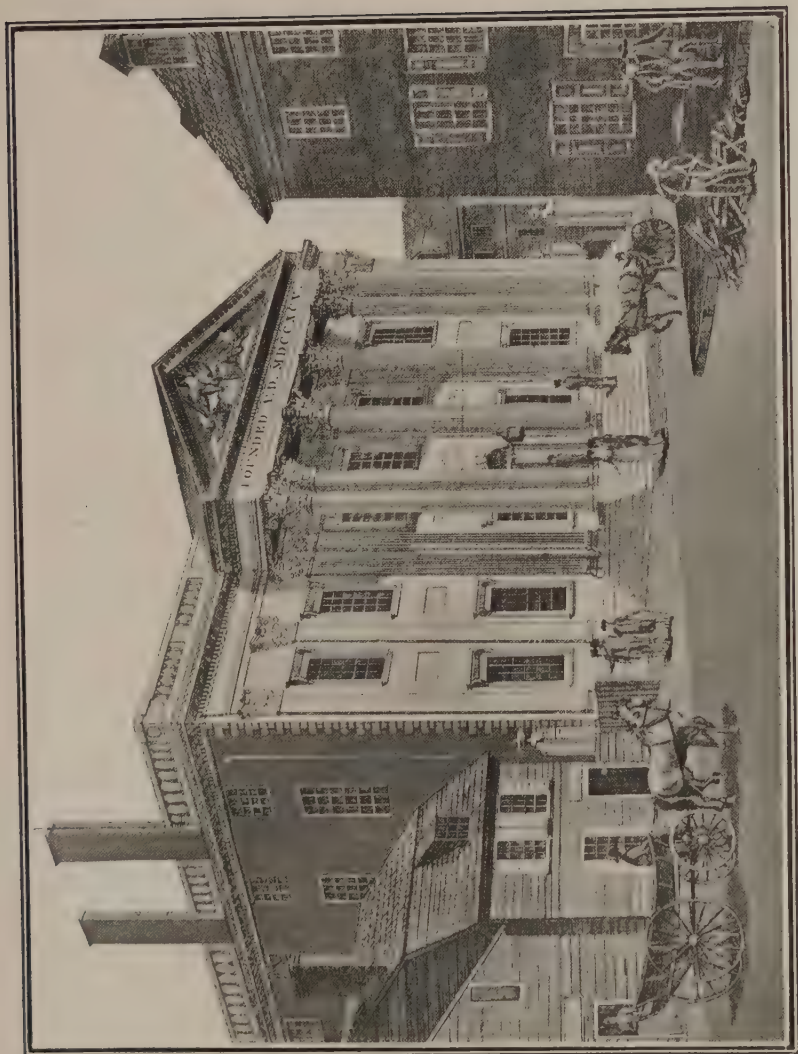
ness for which they were established, and their charters may be repealed when public interest shall demand it. The article on railroads and canals introduces the student to a new subject in State constitutional history. It illustrates the fact, also, that the constitutions of the Commonwealths are growing in length with the development of various business interests. The principal feature of this article is the strict limitation placed upon railroads and other transportation companies in regard to discriminations in favor of certain individuals. As any synopsis of the new constitution would give but an imperfect view of its contents, the student of history is referred to that document for a more detailed examination of the new organic law of the State.

The constitution took effect on January 1, 1874, and on the seventh of that month Governor Hartranft referred to it at length in his message to the legislature. He took occasion to make some wise observations on the true source and nature of good government. He said: "As each day's experience reveals the methods of administration, the conviction grows stronger in my mind that good government depends not so much upon written laws as upon the disposition of the people to comply with the demands of the laws, and the determination of those delegated to execute them to see that their mandates are enforced. Reform, it will be conceded, cannot be obtained by mere constitutional enactment, nor by surrounding offices and trusts with additional restraints. The world's history from the earliest ages has shown that no code of laws, however comprehensive or restrictive, will evade man's ingenuity if bent upon overstepping their bounds, and wise and necessary as the provisions of the new constitution may be, they will never secure the ends designed unless sustained by a strong, active, healthful, and intelligent sentiment that will interest itself in public affairs. It will not suffice to enact that integrity and fitness are essential qualifications for office, unless the people see to it that none without these qualifications are selected. It is the indifference and inattention of electors to their primary political

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duties, connected with nominations and elections, that despoil the law of its sanctity, and afford security to those who wilfully disobey its requirements. Men do not fulfill the obligations of citizenship by merely enjoying the protection our institutions afford. To perform his whole duty to the State every citizen should actively engage in political concerns when the recurring elections invoke his attention and interference. In our system of government every man entitled to vote is invested with a grave public trust, and if, through indifference or neglect, he fails to discharge the sacred duties it imposes, he is almost as culpable as the other who deliberately violates the law. With this new departure in our organic law, let there also be an accompanying resolution on the part of all good citizens that they will attend diligently and conscientiously to the selection of men for office whose dignity of character and intellect will be an adequate guaranty that the new constitution will be safe in their keeping."

The year 1876, marking the one hundredth anniversary of American independence, was one of great interest to the people of the Commonwealth. For three or four years before this time, a centennial celebration was the leading subject in the public mind. As early as 1871, Governor Geary referred to this matter in his message to the legislature. He suggested that an appropriate celebration be held in Philadelphia. "There," he said, "the Declaration of Independence was first promulgated, and there should be the national celebration of the one hundredth anniversary of the nation's existence." About the same time, the idea of an international exposition was first discussed in the newspapers. On March 9, 1871, Daniel J. Morrell, a representative from Pennsylvania, introduced in Congress a bill providing for an exhibition in Philadelphia, which passed a year later. In the meantime, a committee of the City Councils took up the matter, and did much to arouse popular interest. In the spring of 1872, the Centennial Commission met in Philadelphia, and finally agreed that the exhibition should be opened on April 19, 1876, and closed



Bank of the United States, 1799

From the Birch views

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on October 19, of the same year. A committee was appointed to raise subscriptions, and by February 22, 1873, the sum of \$1,784,320 had been pledged. On March 27, of the same year, the legislature of Pennsylvania appropriated one million dollars to the proposed exhibition, and thus its success was assured. On March 16, 1874, it was decided that the construction of the necessary buildings should begin at once, and on July 4 ground was broken for this purpose at Lansdowne, Fairmount Park. In all, there were about 180 buildings erected within the Centennial grounds, five of which were great structures, in which were placed the vast displays. Governor Hartranft issued a proclamation, designating September 28 as "Pennsylvania day." | This was the most notable day of the whole exhibition, the attendance reaching 275,000 people. The Centennial produced many good effects throughout the State and nation. A new impetus was given to trade and commerce; while nowhere was the influence so pronounced as in the work of education.

The good times which followed the Civil War were in a few years succeeded by financial depression that extended over the whole country, and reduced many great commercial establishments to ruin. These financial troubles began in Philadelphia, in 1873, with the failure of the banking house of Jay Cooke and Company. Mr. Cooke's bank gave material aid to the United States government during the Civil War; hence he was often called the "Financier of the Rebellion." After the war, his house became the fiscal agent of the Northern Pacific Railroad company. Finally becoming involved, Mr. Cooke's establishment went into bankruptcy on September 18, 1873. Then followed a run on the other banks, the effects of which were soon felt throughout the United States. The State of Pennsylvania suffered considerable loss from the operations of the panic. In 1874, the receipts from all sources were \$1,500,000 less than the preceding year; yet by a rigid economy, the public expenditures were kept within the limits of the revenues.

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The condition of the times was rendered more deplorable by a series of labor difficulties, extending from 1874 to 1877. In 1874, there was a conflict in Westmoreland county between the Italian and resident miners, in which four of the Italians were killed. The same year, there was a railroad strike at Susquehanna on the New York and Erie railroad. A number of trains were seized by the mob, and order was not restored until after the Governor had sent the State militia into that region. In January, 1875, the miners of the Lehigh and Schuylkill regions began a strike, which lasted six months. There was but little violence; yet the Governor found it necessary to order the militia to the scene of the disturbance.

In 1877, the spirit of lawlessness increased, culminating in a series of destructive riots in different parts of the State. The cause of all this trouble was the railroad strike, which began on July 16, and soon became general throughout the United States. In the beginning of July, a circular was issued from the offices of the Baltimore and Ohio railroad, announcing a reduction of ten per cent. from the wages which the employes were then receiving. A new schedule of wages was announced, to take effect on July 16. At all points along the railroad there were demonstrations against this reduction. A strike was ordered, and before midnight of the sixteenth the immense property of the Baltimore and Ohio was in the hands of rioters. On July 19, the employees of the Pennsylvania railroad at Pittsburg inaugurated a strike, and stopped the passage of all freight trains east and west. By the evening of the twentieth a large number of freight trains were tied up in that city. The striking workmen resisted all efforts of the railroad officials to move these trains, and threatened acts of violence. At this time, Governor Hartranft was on a trip across the continent; but upon the call of the sheriff, the Adjutant-General ordered the sixth division of the National Guard to assist in restoring order. The Adjutant-General arrived at Pittsburg on July 21 to take personal charge of all the troops ordered out.

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The first division of the National Guard was also called into service, and on the forenoon of the twenty-first the troops took position upon the hill overlooking the tracks at Twenty-eighth street. At two o'clock in the afternoon the troops from Philadelphia arrived, and they at once proceeded to open the road. As they approached Twenty-eighth street the crowds pressed in upon them and stones were thrown by the mob. There was considerable firing on both sides, and in the melee twenty soldiers were wounded. In the evening the soldiers withdrew to the round-houses and adjacent buildings. At midnight the rioters determined to drive them out by burning the freight cars in the vicinity. The result was a great conflagration in which vast quantities of freight were consumed and all the rolling stock and buildings of the Pennsylvania railroad at Pittsburg were destroyed. Hastening from his western trip, Governor Hartranft reached Pittsburg on July 24. After a consultation with the leading citizens, he went to Philadelphia to confer with Generals Hancock and Schofield, of the United States army. Arrangements were made to forward a detachment of the regular army to Pittsburg, there to join the State troops which the Governor collected on the way. A large force was soon gathered at the scene of disturbance; and with Governor Hartranft in personal command, order was restored in a few days and railroad communications were opened with all parts of the country. In the meantime, there were serious riots in other sections of the State. The lawless spirit in Philadelphia and Harrisburg was quelled by the prompt action of the officials; but in Reading the work of destruction almost equalled that in Pittsburg. The railroad bridge over the Schuylkill was burned, and the mob practically controlled the city. As the authorities of Berks county were unable to suppress the riot, General Reeder was sent there with a division of the National Guard. On the evening of July 23 there was a severe street fight between the mob and the soldiers, in which some of the latter were wounded, while eleven of the crowd were killed. The next day a detach-

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ment of United States troops arrived, and the railroad was opened to traffic.

The contagion of lawlessness affected the miners of Luzerne county, and on July 25 they began a general strike. All railroad traffic was suspended in that region, and at Scranton the rioters attempted to drive the workmen from the shops. The sheriff with a number of aids dispersed the crowd; but he was seriously wounded and three of the mob were killed. As the conditions became more threatening, it was necessary to forward a division of the National Guard to the coal regions. Early in August all disorder was suppressed, and in a few weeks all the railroads in the State were running trains on schedule time. In referring to the general causes and results of the strike, Governor Hartranft said in his message of 1878: "While capital held labor in ignorance and bondage, strikes were rare. Their frequent occurrence is a proof that labor is growing, more and more, to an equality in strength and importance to capital. Intelligence has spread itself among the laboring classes; they have learned to read and write, and to interchange their views, and formed associations, according to their new lights, for their protection and advancement. And if in this, as in many other cases, 'a little learning is a dangerous thing,' it is yet better than no learning at all, and is the progressive step to higher intelligence. On the other hand, under the influence of civilization, wealth became more and more diffused, and corporations grew up to collect the large and small amounts of unemployed capital, to build the gigantic works and conduct the great industries required by modern society. These two results are the inevitable consequences of increased intelligence and civilization. These great corporations, from the character of the enterprises, are of necessity, in most cases, monopolies. As such, the people have a right to demand that while the profits may accrue to private individuals, their management shall rise above merely selfish aims, and consult also the public utility and welfare. It has come to pass that in the conflict between

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capital and labor, the former is almost wholly represented by corporations, and the latter by various organizations. . . . In these facts, we can discern the two roads that may eventually lead to the final settlement of the contest—the diffusion of higher education among the workingmen, and the conviction, on the part of capital, that it has now to deal with an equal competitor, whose claims and rights, together with his own, must be decided and adjusted by arbitration.”¹

As early as 1870, Governor Geary had urged upon the legislature the necessity of making provision for a geological survey of the State. The matter was delayed until 1874, when a bill was passed authorizing the Governor to appoint a board of ten scientific gentlemen who were to be entrusted with the selection of a geologist. Such a person was appointed in June, 1874, and the work at once progressed with great satisfaction. During the first year, examinations were made of the iron ores and roofing slates of York, Adams, Lehigh, and Northampton counties; the fossil iron ore belt of the Juniata valley; the bituminous coal basins of Clearfield and Jefferson counties, and the oil regions of Venango county. The work has been vigorously pushed from year to year, and interesting reports have been regularly published, thus forming valuable contributions to scientific literature.

In several of his messages Governor Hartranft emphasized the necessity of fixing proper limitations to the powers conferred on State banks, saving funds and trust companies. Besides one hundred and ninety-nine national banks, we had in 1874 one hundred and seventeen State banks and trust companies. Many of the State institutions performed the functions of a saving fund, a trust company, an insurance company, with powers also to buy and sell real estate, and to act as a building association. In many instances, these banks had a small capital, and, therefore, offered but little security to the depositors. In his message of 1875 the

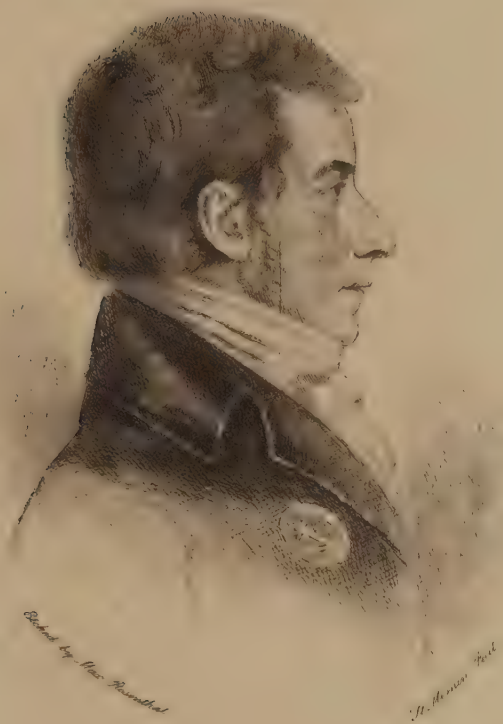
¹ "Pennsylvania Archives," Fourth Series, vol. 9, p. 596.

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Governor urged the enactment of a general law, requiring all banks to have at least \$50,000 capital and subjecting them to frequent examinations. In 1876, the legislature passed a banking law, embodying some of the Governor's suggestions; but still he claimed that the measure was not as comprehensive as it should be. In his message of 1878 he favored the creation of a department of banking, headed by a commissioner, with duties similar to those of the Insurance Commissioner, who would regularly make an examination of the banks of the State and report their condition. In 1878 a bill to that effect passed the Senate, but was defeated in the House. In 1893 a law was enacted providing for the organization of a banking department, and it is now regarded as one of the most important administrative offices of the State.

During Hartranft's administration the schools of the State continued to make satisfactory progress; but one of the greatest defects was the lack of properly trained teachers. In the year 1874, of the 15,003 teachers receiving certificates, only 374 were found to have a thorough knowledge of the common branches. Governor Hartranft's references to the schools in his messages form interesting contributions to educational literature. In 1874 and 1875, he presented strong arguments to the legislature in behalf of compulsory education. He said: "The lesson of the common school is love of country and obedience to authority. Can the time and attention of those entrusted with government be employed upon a subject more vital to the interests of society than to secure the education of every child within the operation of its laws? and I sincerely trust that from the wisdom of the legislature will be evolved some plan that will at least gather the neglected children of the Commonwealth into institutions where, jointly with the contributions of charitable people, she can provide for their maintenance and instruction." The Governor was likewise strongly impressed with the necessity of providing industrial education for the children of the State. He realized that

Etched for this work by Max Rosenthal from the unengraved drawing by St. Memin, owned by Edward Shippen, Philadelphia



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mechanical genius would be required to develop the great resources of Pennsylvania; hence also an ever increasing demand for labor of the highest skill. "It is to our mineral wealth and manufactures," the Governor said, "we mainly owe our riches, power, and the advantages we possess as a State, and in our mines, furnaces, forges, rolling mills, locomotive works, and the myriads of factories, wherein her products are formed for use, trained hands and minds are always wanted. Can they be found among our own people? Reasonable and just complaint is made of the want of skilled labor in our midst, and the constant recourse had to foreign countries to supply this pressing need. In our great iron and other industries, and wherever skilled labor is required, the greatest number of those employed have acquired their experience in Europe, or the Eastern States. Is it not time for Pennsylvania to absolve herself from this dependence, that imposes upon many of her sons the condition of common laborers, at the bidding of overseers from without the State?" The Governor wished to see industrial and scientific schools established by the side of the high schools and academies, such as those now existing in our larger universities. He hoped that the common school system would receive a symmetrical development in harmony with the industrial age and the great resources of Pennsylvania.

A soldier himself, the Governor devoted much attention to the subject of the militia, and the fine organization of the National Guard is largely due to his personal efforts. The desire of the administration was to form a small, compact, and efficient body of troops. In 1872, the militia consisted of twenty-one divisions, with three hundred and twenty-three companies, comprising 1,126 commissioned officers and 13,566 enlisted men. In 1879 there was one division divided into five brigades, comprising one hundred and forty companies of infantry, five cavalry companies, and four batteries of artillery. At the same time there were 608 commissioned officers and 8,200 enlisted

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men. This organization has continued with a few modifications, and the National Guard has always shown a fine spirit, with the best discipline, and constant readiness for public duty.

On December 19, 1878, Bayard Taylor died in the city of Berlin, while serving at his post as minister to Germany. He was a native of Chester county, and through his literary works had done much to increase the fame of Pennsylvania. His death called forth appropriate resolutions in the State Senate, and Hon. James B. Everhart, a member of that body from Chester county, delivered a beautiful eulogy in memory of his deceased friend.

In November, 1878, occurred the election for Governor of the State. The Republicans nominated Henry M. Hoyt, of Wilkes-Barre, while the Democratic standard bearer was Andrew H. Dill, of Lewisburg. The campaign was conducted along the line of national issues, the leading discussion being the resumption of specie payments. Many Republicans thought their candidate could not be elected on a hard money platform; but Mr. Hoyt declared: "Professing to be an honest man, and the candidate of an honest party, I believe in honest money." This became the keynote of the campaign, and he was elected by a large majority.

Upon the expiration of his term, in January, 1879, Governor Hartranft removed to Philadelphia, where he served as postmaster of the city, and afterwards as Collector of the Port. His love for the National Guard continued, and he was the commanding general from 1879 until his death on October 17, 1889. His memory as a soldier is perpetuated by an equestrian statue on the Capitol Hill, Harrisburg, and by a beautiful monument in the cemetery at Norristown.

CHAPTER XX.

HOYT'S AND PATTISON'S ADMINISTRATIONS—1879-1887

HENRY MARTYN HOYT, the new Governor, was inaugurated for a term of four years, on January 21, 1879.

This was in accordance with the provision in the schedule of the new constitution: "The first election of Governor under this constitution shall be at the general election in the year one thousand eight hundred and seventy-five, when a Governor shall be elected for three years; and the term of the Governor elected in the year one thousand eight hundred and seventy-eight and of those thereafter elected shall be for four years, according to the provisions of this Constitution." On January 7, of the same year, the legislature met in biennial session for the first time, as provided in the new Constitution.

Governor Hoyt was born at Kingston, Pennsylvania, in 1830. He received a fine classical education, preparing for college at the Wyoming Seminary, and graduating at Williams College in 1849. He then spent several years in the profession of teaching. Finally he began the study of law, and in 1853 was admitted to the bar of Luzerne county. At the outbreak of the Civil war he promptly offered his services to the country. He assisted in organizing the Fifty-second Pennsylvania Volunteers, of which he was made Colonel. His regiment took part in many important engagements. In 1864, Colonel Hoyt, with one hundred and twenty men, was captured in a night attack upon Fort Johnson, at Charleston. He succeeded in escaping, but he was re

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captured by the aid of bloodhounds. At the close of the war he was exchanged, when he rejoined his regiment, and was mustered out with the brevet of Brigadier-General. Returning home, he at once resumed the practice of law. In 1867 he was appointed by Governor Geary as Additional Law Judge of Luzerne county; but two years later he resigned this office and became Collector of Internal Revenue for the counties of Luzerne and Susquehanna. He was always active in political affairs, and in 1875 was chosen chairman of the Republican State Committee.

When Governor Hoyt's administration began, the country was still suffering from the effects of financial depression and the conflict between capital and labor. In his inaugural address, the Governor reminded the people that the late troubles were largely due to extravagance. He said: "We have come, with great unanimity, to recognize the actual facts which lie at the bottom of this whole subject. A generation of younger business men had come upon the stage at a period of excitement, following the war, and of speculation, fairly reaching the degree of gambling. The vastly expanded credit which men gave, one to another, in all forms of business, the result of an inflated currency, led to unnatural values, as measured in such currency. The temptations for contracting debts were great, and not easily resisted. We spent more than we earned; we forgot that 'the extravagance of the rich' was not the gain of the poor'—that profusion and waste were not for the good of trade—and that everything consumed and destroyed was so much lost in the labor which had produced it. Circulating capital was locked up in fixed property. The wages-fund was impaired. We abandoned the maxims of experience and the simplest truths in political economy. We measured values by a standard not common to the civilized world with whom we were in daily and necessary commercial intercourse. We failed to remember that the issue of paper money, whether greenbacks, national bank notes, bills of exchange, or checks, did not add a dollar to the



Henry Miller

General in Revolutionary war; member State Constitutional convention, 1790; brigadier-general, 1794; quartermaster-general in Whiskey Insurrection expedition; brigadier-general in the War of 1812

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wealth of the nation, and that while indispensable as a circulating medium, it could only have a representative value. We did not advert sufficiently to the present physical and financial fact, that by the tacit agreement of the nations, the precious metals are the only standard of value, the only 'current money with the merchant.' We did not seem to know that the instincts of a practical, shrewd, and enterprising nation of business men must finally and forever reject the use of an irredeemable currency. At the last, pay day came, as it always must, and bankruptcy came with it, as it always will under like causes. Our capacity to consume was destroyed. The producer was without buyers for his merchandise. Debtor and creditor alike had to pause for the day of settlement."¹

With the practice of strict self-denial, the people soon recovered from the effects of the hard times. Following the principles of a wiser political economy, the great resources of the State were applied to the best uses, and prosperity soon returned. During the four years of Hoyt's administration the State debt was reduced \$1,650,537.58. Deducting the assets in the sinking fund, this left a net indebtedness of \$12,232,099.46. In the year 1882 the finances of the Commonwealth were in an excellent condition, the total revenues being \$7,068,529.66, while the expenditures for the same period were \$5,024,766.44. Of the aggregate revenues more than four million dollars were derived from taxes on corporations; so that there was no direct tax on the people, except \$437,776.64 on personal property.

By a joint resolution approved February 13, 1879, the legislature requested the Attorney-General to institute proceedings against several medical colleges in Philadelphia for engaging in the sale of diplomas to persons who had not pursued the prescribed course of study, and who were thus unfitted to practice medicine. In accordance with this request, writs were issued

¹ "Pennsylvania Archives," Fourth Series, vol. 9, p. 157.

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expressed in the resolution of the legislature. After some deliberation, the trustees of Jordan's meeting-house refused to grant the request of our people. Mr. Harrison entered into this project with great zeal, and on his return to America published an interesting account of the negotiations.

In 1882 the bi-centennial of Penn's arrival in the province was observed with fitting ceremonies. For a number of months the authorities of Philadelphia had the subject under discussion. Some favored an industrial exposition; but it was finally decided that several days should be devoted to parades and entertainments. A Bi-Centennial Association was formed, and an executive committee was appointed, at the head of which was Alexander P. Colesberry. On Sunday, October 21, there were appropriate religious services in the churches. On Monday, "landing day" at Chester was observed, when characters representing Penn and his party were received from the boats by groups of Quakers, Swedes and Indians, all appropriately dressed. Tuesday, October 23, was "landing day" in Philadelphia. At 9 o'clock in the morning the "Welcome" arrived at the foot of Dock street, where the scenes of landing were again enacted. Passing up Dock street, the line rested at the Blue Anchor Inn. Here a stand had been erected, and Governor Hoyt and members of the Bi-Centennial Association greeted Penn. Then Penn made a speech, to which Tamanend, sachem of the Delawares, made a feeling reply. A parade followed with twenty thousand men in line, requiring four hours and a half to pass a given point. The celebration ended on Friday with a grand military parade under the command of General John F. Hartranft. All the ceremonies connected with the bi-centennial were dignified and impressive. The two hundred years of history were recalled to the people with a new emphasis and meaning. It was a glorious past, with bright prospects for the future. Referring to these festivities, the Governor said: "We are beginning the third century of our existence as a state. The reminiscences of the hour are well adapted to stir

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within us reflections upon the possibilities of organized society, the secret of right government, and the duties of the free citizen in the free State. But thoughts without resolution have a sickly hue. Sonorous phrases count for nothing alongside of quiet deeds. Patient participation in public affairs will do more to redeem politics from the spoiler than the sublimest political philosophy, and the intensest sentiment, if never embodied in action."

The election for Governor in 1882 was a spirited contest and brought about a political revolution in the State. James A. Beaver was nominated by the Republicans; while Robert E. Pattison was the Democratic standard bearer. A strong element among the Republicans was dissatisfied with conditions in that party. This opposition united and nominated an Independent Republican ticket, with John Stewart for Governor. The Greenback-Labor movement also became a factor in State politics, and this party nominated Thomas A. Armstrong; while the Prohibitionists named Alfred C. Pettit. With the Republican vote thus divided, Mr. Pattison was elected by a plurality of more than forty thousand. His campaign was a most remarkable one. In two weeks he traveled fourteen hundred miles and spoke in forty counties.

In his final message to the legislature, Governor Hoyt reviewed some of the causes which led to the Democratic victory. He said: "In Pennsylvania the people have determined upon a change. What does this decision mean? To this question three answers are proposed: one cynical and desperate; another, pessimistic and hopeless, and a third, patriotic and assuring." The first, he thought, expressed the feelings of the professional politician, who looked upon the change merely as a turn in the fortunes of a game. The Governor denounced this class of politicians, however, for he said: "They rely for their success even more upon the apathy of the pure and the intelligent, than upon the activity of the selfish and unscrupulous." According to the second view, the Republican defeat was viewed by some as a public spasm or convulsion. This theory the Governor denounced

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as implying a lack of capacity for self-government. The third view he regarded as more hopeful and patriotic. "According to it," he said, "this change marks the beginning of a new epoch in our political life. Those who cherish it argue that thousands of our best citizens, relieved of the pressure of national anxieties, and unwilling to live forever in the past, are beginning to study the nature and details of State and municipal government as never before; are awakening to the business and scientific character of political problems, and have determined to thrust aside every individual, and every contrivance, that stands between them and the management of their own affairs. They will no longer be content with the automatic activity in politics; they demand a conscious share in this noblest pursuit of intelligent men. The people have come to claim their own, without the intervention of middlemen.

"If this view be correct, then the occupation of the professional politician is gone. He belongs to a doomed species; he has outlived the only environment adapted to his nourishment, and must shortly pass away. That this is true is indicated by our lineage, our traditions, and the character of our recent progress. We are the descendants of men who defied kings and parliaments; we are the children of men who destroyed the Congressional caucus, and created the national convention. Our citizens are meeting in their granges and trades-unions, in their industrial leagues and commercial guilds, and are becoming keenly alive to the everyday bearings of politics upon their own and their children's welfare. Even the primary meeting, once treated as utterly beyond the pale of law, the sport of the juggler and the rogue, has become the subject of legislative enactment and protection. Nay more, even the promises of party platforms conform to the quickened senses of the people, and the necessity of other and better methods has received a certain grave and reverential recognition in party deliverances."¹

¹ "Pennsylvania Archives," Fourth Series, vol. 9, p. 923.

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This parting deliverance made by Governor Hoyt on political conditions in Pennsylvania reveals in him the character of true statesmanship. His remarks should be cherished by all patriotic citizens; for they describe so clearly the true nature of good government. On retiring from office, Governor Hoyt began the practice of law in Philadelphia, where he died on Dec. 1, 1892.



House built in Philadelphia for the President of the United States

Completed 1797; purchased by the University of Pennsylvania in 1800. From the Birch views

Robert Emory Pattison was inaugurated Governor of Pennsylvania on January 16, 1883, when only thirty-two years of age. His father, Rev. Robert H. Pattison, was a minister in the Methodist Episcopal church, and in 1850, at the time of the birth of his son, was stationed at Quantico, Maryland. Later the family removed to Philadelphia, where Robert E. Pattison was educated in the public schools, graduating as valedictorian in the Central High School. In 1869 he began the study of law in the office of

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Hon. Lewis C. Cassidy, and in 1872 was admitted to the bar. In 1877, when only twenty-seven years old, he was elected Controller of Philadelphia, and in 1880 he was chosen for a second term. His wise and honest administration of this office made him the nominee of his party for Governor two years later.

Governor Pattison was inaugurated on January 16, 1883. At his own request the ceremony was as simple as possible. It is said that he refused to ride in a carriage from the railroad station at Harrisburg, but walked to the hotel on the occasion of his inauguration. His whole administration was characterized by a spirit of economy and reform. In his inaugural address, the Governor urged the abolition of needless offices, rigid accountability and strict economy in the expenditure of public money, and an equitable distribution of the burdens of government. He said in closing: "I look forward with bright anticipation to the future of our Commonwealth. Her possibilities are great beyond those of almost any of her sister States. Let it always be remembered by all citizens that intelligence and virtue are the safeguards of liberal institutions. The law must be preserved in its integrity and supremacy; citizenship should not be treated as a light privilege, but its duties should be made a serious matter of conscientious performance; the purity of our elections must be sacredly preserved; and all alike should feel a personal interest in discharging their obligations to the State, and sustaining the officers of the law in the faithful and just performance of their functions. It will always be my pleasing duty to co-operate with the representatives of the people, in giving validity to enactments whose object is the dissemination of information, the promotion of the general welfare, the placing of additional safeguards around the upright, or the punishment and restraint of the lawless and vicious. In short, whatever will tend to develop the resources, increase the comforts, or enlarge the happiness and prosperity of the citizens of a State, which has been alike fortunate in its location and the wise policy of its founder, should receive the sedulous attention

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and constant support of every one who is called upon to make, expound, execute, or obey the laws."

A few weeks after the inauguration, Governor Pattison sent a message to the legislature, urging immediate action on certain reforms. He emphasized especially the great necessity for re-apportioning the State into congressional, senatorial and representative districts, as required by the constitution: "The General Assembly, at its first session after the adoption of this constitution, and immediately after each United States decennial census, shall apportion the State into senatorial and representative districts agreeably to the provisions of the two next preceding sections." The legislature could not agree upon any scheme of apportionment; but on June 6, 1883, the date fixed for adjournment, the Governor issued a proclamation calling an extra session to meet the following day. In making this call, he said: "The obligation is imposed upon the Governor to 'take care that the laws be faithfully executed.' I deem it my duty, therefore, to exhaust my lawful authority to correct the grave default of the legislature." A new apportionment of the judicial districts was made; but the efforts in behalf of congressional and legislative apportionment ended in a complete failure. The legislature remained in extra session until December 6, a period of six months. The members were paid ten dollars per day, and all they accomplished was to create a heavy bill of expenses for the government. The Governor severely arraigned the legislature for this neglect of duty, as follows: "They adjourned at last with the constitution still unobeyed, but not without easily succeeding, by sinking all their differences (which they had ostentatiously paraded for the previous six months for the purpose of defeating the law) in a coalition to over-ride the executive veto, and take over a half million dollars of the people's money without rendering any return in service." In his message to the legislature, in January, 1885, the Governor urged the passage of a law fixing a specific salary for members of the General Assembly. This would pre-

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vent another bill of expenses so great as that incurred in the extra session of 1883. An act was promptly passed, fixing the salary at \$1,500 for the regular session, and \$500 for the extra session, without regard to the length.

On March 17, 1885, an act was approved requesting the Governor to appoint an Arbor Day, for the purpose of encouraging the planting of trees and shrubbery. On March 23, Governor Pattison issued the first Arbor Day proclamation, appointing April 16, 1885. The custom has been regularly followed from that time to the present.

Pattison's administration was characterized throughout by vigorous executive action. He had pledged himself to carry out certain principles of reform and he applied himself to this work with great faithfulness. In 1886 his attention was called to charges of neglect, inhumanity, and corruption in the management of the Soldiers' Orphan Schools. These charges were so direct and specific that the Governor determined to examine into their truthfulness. He first made inquiry of the Superintendent of Public Instruction, Dr. Higbee, who, by virtue of his office, had charge of these schools. The Superintendent replied that after an examination of the conditions in one of the schools, he was confident the charges were false. Not satisfied with this reply, Governor Pattison undertook a personal investigation of the management of all the Soldiers' Orphan Schools. Accompanied by the Attorney-General and official stenographers, the Governor visited the schools, and examined under oath those in charge of the institutions, as well as the orphans themselves. Inquiry was made into the sanitary condition of the buildings, the clothing, the quality of food, and the discipline. The Secretary of the State Board of Health also inspected the schools and made a detailed report thereon. The investigation continued nearly a month, and the testimony of the scores of witnesses filled a thousand pages. After the work was completed the Governor arrived at the following conclusions: "As a result of

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this exhaustive examination, I was entirely convinced of the truth of the charges made. It is impossible, with the evidence procured, to doubt that for many years the generous bounty of the State has been systematically and deliberately wasted and



Pennsylvania Hospital as it appeared in 1799

From the Birch views

perverted; the orphans in many cases defrauded of the commonest comforts of life; cruelty and inhumanity of the most repulsive character practiced, and the schools conducted by a combination of mercenary contractors in the most corrupt, unlawful, and heartless manner. To do this the laws governing the institutions have been disregarded and persistently violated; the public officers charged with their superintendence and government have been negligent, incompetent and studiously derelict;

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and, while the investigation was being made, either abstained from assistance or embarrassed the discovery of the facts."

In order to reform the management of these schools, the Governor regarded a change of officials as absolutely necessary. He dismissed the male and female inspectors, and would have removed the Superintendent of Public Instruction from office, but for the constitutional provision denying the Governor that power. Governor Pattison did request Dr. Higbee to resign, but the latter refused, continuing in office until his death in the year 1889. General Louis Wagner, of Philadelphia, was appointed male inspector of the schools in the place of the officer removed. After these changes in management, the Governor reported to the legislature a marked improvement in the condition of the soldiers' orphans. This investigation aroused an intense feeling throughout the State and public opinion was divided at the time concerning the charges.

In 1886 the Attorney-General began legal proceedings in order to enforce the section in the Constitution governing railroad corporations: "No railroad, canal or other corporation, or the lessees, purchasers or managers of any railroad or canal corporation, shall consolidate the stock, property, or franchises of such corporation with, or lease, or purchase the works or franchises of, or in any way control any other railroad or canal corporation owning or having under its control a parallel or competing line." One of the legal proceedings referred to was for the purpose of preventing the Pennsylvania Railroad from purchasing the franchises of the South Pennsylvania Railroad, a competing line, and the control of the Beech Creek Railroad. Suit was begun in the Dauphin county court which granted a preliminary injunction. The proceedings were removed to the Supreme Court on appeal, where the decision of the lower court was affirmed.

The condition of the State funds during Pattison's administration indicated general prosperity. In four years the debt was reduced \$2,966,101. Deducting the money held by the Com-

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monwealth in the sinking fund, the actual debt on December 1, 1886, was \$7,078,235.82. At the same time all the ordinary expenses of government were met, and there remained in the treasury \$2,101,457.57.

The approaching election for Governor in 1886 brought four candidates into the field. The Republicans nominated James A. Beaver; the Democrats, Chauncey F. Black; the Prohibitionists, Charles S. Wolf, and the Greenback Party, Robert J. Houston. In this campaign the Republicans were not divided, as they had been in the previous campaign; hence General Beaver received the united vote of the party and was elected. Governor Pattison sent his final message to the legislature on January 4, 1887. It was filled with the spirit of reform, and he closed by saying: "Four years of executive service have convinced me how much is yet to be accomplished for the reformation of abuses which have grown up constantly and imperceptibly in nearly all of the departments of the civil administration. The duty of eradicating these abuses is a task of great magnitude, but will assuredly yield to fidelity, industry, and zeal. In the effort to accomplish this end, there should be entire unity of purpose, and mutual assistance by all the officers of the Government. I do not feel that I would properly acquit myself of my entire duty in this respect, if I did not fully lay before the Assembly the results of my official study and observation. That they may be of aid to the legislature in promoting good government and advancing the prosperity of the Commonwealth, is my earnest hope and only desire."

Governor Pattison retired from office on January 18, 1887. He was soon afterward appointed by the President of the United States on the Railroad Commission. While occupying this position he assisted in investigating the Pacific railways, and he recommended that the partnership between the Government and the Pacific Railroad should terminate. His second administration as Governor will be the theme of a subsequent chapter.

CHAPTER XXI

BEAVER'S AND PATTISON'S ADMINISTRATIONS—1887-1895

JAMES ADDAMS BEAVER was inaugurated on January 18, 1887. In his address to the people on this occasion, he publicly thanked the retiring Governor "for the earnestness of purpose which has governed him in the discharge of the high duties to which he was called." Governor Beaver was born at Millerstown, Pennsylvania, in the year 1837. He was for some time a student at the Pine Grove Academy, and in 1856 graduated at Jefferson College when not yet nineteen years of age. Taking up his residence in Bellefonte, he began the study of law, and in 1859 was admitted to the bar of Centre county. He was always deeply interested in military affairs, and when the Rebellion broke out he was commissioned lieutenant in the 2d Pennsylvania Volunteers. The same year he was made Colonel of the 148th Pennsylvania Volunteers. Colonel Beaver received wounds in the engagements at Chancellorsville, Spottsylvania, and Cold Harbor, while he lost his right leg at Ream's Station, Virginia, on August 25, 1864. He was then brevetted Brigadier-General for bravery, and was mustered out of service on December 22, 1864. He always took a lively interest in Republican politics, and in 1882 was the unsuccessful candidate of his party for Governor.

At the session of the legislature in 1887 the question of apportionment was again considered and the State was divided into twenty-eight congressional districts. At the same time

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representative districts were provided for two hundred and four members in the lower House of the legislature. The question of temperance also received considerable attention at the hands of our law makers in Beaver's administration. One of the earliest forms of the crusade against strong drink in Pennsylvania was in the local option law of 1872, which authorized counties and cities to vote for or against licensing saloons. This law was tried for a short time and then repealed. The sentiment for restricting the sale of liquor is also shown in the growth of the Prohibition party, which figured so prominently in the presi-



Arms, 1805

dential campaign of 1884. In his messages of 1885 and 1887, Governor Pattison invited public attention to the urgent need for legislation with reference to the liquor traffic. He said: "The legislature ought, at once, to revise the entire license system of the State. The cost of license ought to be increased to such a figure as would eradicate the enormous number of small tippling houses. Some regulation should be enacted limiting the number of licenses that may be granted for taverns within a given area, and for a given number of inhabitants. A petition signed by a reasonable number of the free-holders or residents in the neighborhood, square, or election district in which the tavern is to be located, praying for the issuing of the license, should be required to authorize the granting of the same, and the license should be limited to the place for which it is first granted or named in the petition, and made void upon removal. The person to whom a license is granted should be required to be of proved

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good moral character, and there should likewise be rigid regulations as to the hours during which taverns may be kept open, as to sales to minors and drunken persons, and such other provisions as will tend to lessen the evils of indiscriminate tippling, enforced by adequate penalties and forfeiture of license for a violation of the law." The above reference to the liquor traffic was made in January, 1887, at which time it is said there were at least seven thousand licensed saloons in the city of Philadelphia. The legislature in that year passed the high license law, which fixed the license fee in cities of the first class at five hundred dollars; while by a subsequent amendment the charge was raised to one thousand dollars. In the year 1887 the prohibition sentiment was brought to bear upon the legislature, and a joint resolution was passed to prohibit by constitutional amendment, the manufacture, sale, or keeping for sale of any intoxicating liquor to be used as a beverage. Requiring the approval of two legislatures, the amendment was again passed in the session of 1889. On April 15 the Governor issued a writ of election for June 18, for the purpose of approving or rejecting the amendment. The amendment was defeated by a vote of 484,644 to 296,617.

The great natural resources of Pennsylvania have ever opened an inviting field for practically trained men; hence the necessity of technical and industrial education. Governor Hartman realized this fact, and he frequently urged the establishment of scientific schools. In 1887 the whole subject came up for consideration in the legislature. On May 19 a joint resolution was approved, requesting the Governor to appoint a commission of five persons to make inquiry and report to the legislature respecting the subject of industrial education. In accordance with this resolution, the Governor appointed George W. Atherton, A. H. Fetterolf, N. C. Schaeffer, George J. Luckey, and Theodore W. Bean, as members of the so-called Industrial Education Commission. These gentlemen were authorized to

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make a study of systems of industrial education in operation elsewhere, and to inquire as to the best means of promoting it in this State. A great mass of literature was thus brought together and published as a report, "constituting," the Governor said, "the best body of practical information upon this subject which has yet been collected." The work of this commission bore immediate fruit, for manual training schools were soon established in the larger cities and towns of the Commonwealth. Governor Beaver gave much serious thought to this subject, and in his message of 1889 he wrote: "The alphabet of the straight line, the angle and the curve, is just as essential to the training for usefulness as the ordinary alphabet through which we express our thought in words. The education of the hand, so that it can be applied dexterously to the practical work which comes to every man in solving the problem of life, is just as important as the knowledge of arithmetic which is applied in so many different ways by those who become acquainted with its rudiments in our public schools. The improvement in our school system required for to-day is not more time for school, but more instruction in such branches as tend to fit men and women for their legitimate place in practical every-day life."

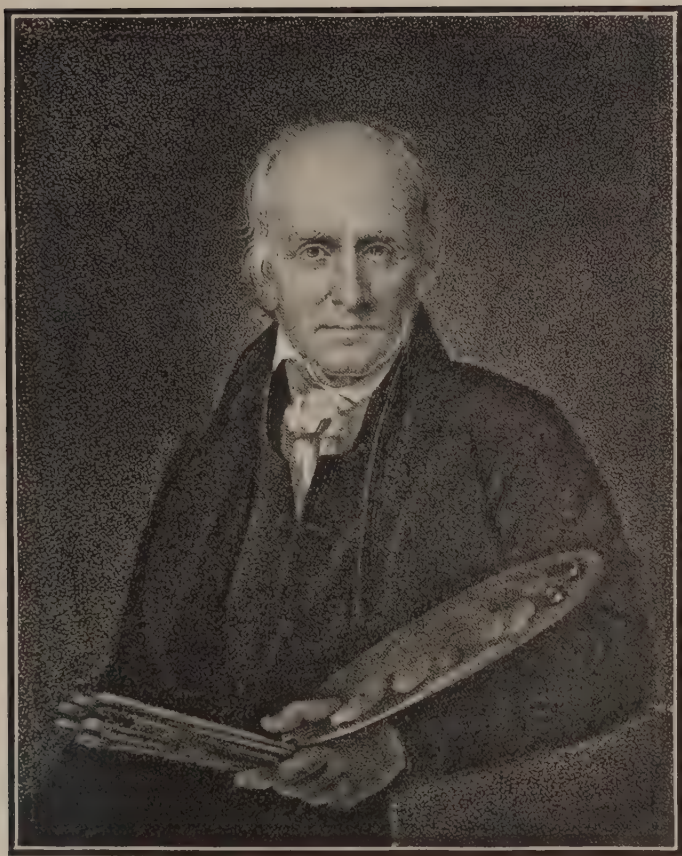
In 1887 and inquiry was made into the forestry conditions of Pennsylvania. On April 28 a joint resolution of the legislature was approved, enabling the Governor to appoint a commission of five persons "to examine and consider the subject of forestry in Pennsylvania, and report the result of their labors, by bill or otherwise, to the next regular session of the legislature." Hon. Washington Townsend, Prof. William A. Buckhout, Col. George B. Weistling, Rev. Samuel F. Colt, and Mr. George O. Praetorius, were named as members of this commission. These gentlemen made a careful study of the subject, and presented a report filled with practical suggestions. The forestry commission was continued, and in 1893 Dr. J. T. Rothrock, of West Chester, was made botanist of the department. Dr. Rothrock

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has been in charge of the work since that time, and he has pushed it forward with commendable zeal. Many acres of forest land have been redeemed from destruction, and systematic tree planting has been encouraged.

By the act of June 15, 1887, an appropriation was made for the erection of memorial tablets or monuments to mark the position of the Pennsylvania regiments on the battlefield of Gettysburg. The work was rapidly pushed forward and the memorials were dedicated on Pennsylvania Day, September 11-12, 1889. The proceedings on this occasion form an interesting contribution to military history, and the material has since been published by the State in two volumes entitled "Pennsylvania at Gettysburg."

The year 1887 marked the one hundredth anniversary of the adoption of the Federal Constitution. An event of so much national importance could not pass by without fitting ceremonies. On December 2, 1886, the Constitutional Centennial Commission was organized at Philadelphia for the purpose of making all necessary arrangements pertaining to the celebration. It may be said that the movement originated in a joint resolution of the legislature of New Jersey, adopted on June 2, 1886, inviting "the governors and representatives of the thirteen colonial States to assemble in Philadelphia on the 17th of September following, to consider the propriety of a national celebration." The other States responded and the result was the formation of the Commission on December 2. An attempt to secure congressional action failed; but the legislature of Pennsylvania appropriated seventy-five thousand dollars. This amount was greatly increased by private subscriptions, and by the appropriations of other States. The Commission arranged for a civic and industrial procession on September 15th, a military display on the 16th, and memorial day ceremonies in Independence Square on the 17th. The occasion was celebrated with great credit to all concerned, and it well illustrated the dignity and grandeur of the Republic.



Charles Willson Peale

Artist; author; naturalist; soldier; dentist; member State Legislature, 1799; founder Philadelphia Museum, 1802. Photographed especially for this work from an engraving by J. B. Longacre after the painting by Rembrandt Peale

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On May 31, 1889, the Commonwealth was visited by a devastating flood, which left death and ruin in its path, and destroyed property worth several million dollars. While the whole State suffered from the calamity, the regions along the West Branch of the Susquehanna, the Juniata, and the Conemaugh Rivers were the principal scenes of desolation. A rain storm continuing several days had so increased the volume of the water that it could not be carried away. The towns on the western slope of the mountains suffered most. A large dam on the South Fork, ten miles from Johnstown, broke on the afternoon of May 31, and in a short time that city and neighboring villages were swept away. In a few moments, three thousand lives were lost; communities were broken up, and government ceased to exist. Relief committees were at once organized in Philadelphia and Pittsburg; and the Governor appointed the Flood Relief Commission for the purpose of distributing funds and other aid. This commission received and paid out nearly three million dollars, nine-tenths of which was applied to the relief of sufferers in the Conemaugh Valley. The State Board of Health inspected the region visited by the flood, and on June 12, took charge of the sanitary work at Johnstown.

The Fourteenth regiment and one company of the Fifth regiment of the National Guard were placed on duty here to assist in maintaining order and guarding property. Under command of Adjutant-General Hastings, valuable service was rendered and the best discipline was preserved all through this trying ordeal. General Hastings personally superintended the work of the State Board of Health, and showed great executive abilities whilst thus engaged. The debris was removed as promptly as possible, and healthful conditions were restored. The people of Johnstown, although prostrated by their misfortune, soon recovered, and rebuilt their city, making it a more beautiful place than ever before.

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On April 17, 1889, the legislature passed an act establishing a nautical school ship upon the *Saratoga*, which was furnished by the United States government. About one hundred young men are trained in nautical affairs upon this ship. The course of instruction is rendered more practical by a cruise each season. The benefits of the school ship were at once demonstrated, especially in the Spanish-American war, when a number of young men found places in the United States navy.

Under the provisions of an act of May 20, 1889, the office of factory inspector was established to provide for the safety of women and children employed in factories and mills. It is the duty of the factory inspector to report to the Bureau of Labor Statistics, on or before November 30 of each year, the name of every factory, the number of hands employed, and the number of hours of work performed each week. This system of inspection has produced marked changes in the condition of the factories, and strict regulations have been adopted for the comfort of the employes.

During Beaver's administration, a number of commissions were appointed to consider matters of public interest and report thereon. Under the provisions of an act of May 4, 1889, the Governor selected Hon. Wayne MacVeagh, Hon. Robert E. Monaghan, and William H. Miller, Esq., to act with a similar commission from the State of Delaware, to survey and re-establish the boundary line between the two States. A new line was agreed upon, and was appropriately marked; but for several years the matter has been in litigation on account of the dissatisfaction caused by the new boundary. Commissions were also appointed to revise and codify the laws relating to the poor; to revise the laws relating to public highways, and to investigate the subject of coal waste. Another commission, "to make and survey a route for a ship canal to connect the waters of Lake Erie and the Ohio River," made a careful study of this question, and reported the

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feasibility of such an undertaking. Governor Beaver wrote enthusiastically on this subject, as follows: "If the waters of Lake Erie and the Ohio were connected by a canal such as is proposed



Richard Peters

Secretary Continental Board of War, 1776; afterward commissioner of war until 1781; discovered that Benedict Arnold was converting war funds to his own use; member Continental Congress, 1782-1783; speaker State Assembly, 1788-1790; speaker State Senate, 1791; judge United States District Court, 1792-1828; first president Philadelphia Agricultural Society

and shown to be entirely feasible, and if the present canal from Albany to Buffalo were enlarged so as to admit vessels of the same size, these links would secure a chain of inter-waterway communication between New York and New Orleans, which would be invaluable for commercial purposes and in times of war

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would furnish an entirely safe means of communication between these important termini and all interior points. It would in addition give us control for defensive purposes of our lake front, which we do not now have and which it is doubtful whether we can secure in any other way under present treaty stipulations."

Dr. E. E. Higbee, Superintendent of Public Schools since April 1, 1881, died at his home in the city of Lancaster, on December 13, 1889. Like Thaddeus Stevens, Dr. Higbee came into our State from Vermont, and like Stevens, he did much to advance the interests of our public schools. He graduated from the University of Vermont in 1849, and his first employment after this event was as assistant in the academy at South Woodstock, Vermont. He soon removed to Emmitsburg, Maryland, and taught in a classical school there. He also began the study of law and hoped to return some day to his native State, to practice this profession. The plans for his lifework were changed, however, and in 1851, he became a student in the Theological Seminary, at Mercersburg, Pennsylvania. Here he was under the influence of Nevin and Schaff, and in 1854, was licensed to preach in the Reformed Church. He was pastor of several prominent churches, until 1864, when he was elected Professor of Church History in the Theological Seminary at Mercersburg. Dr. Higbee was instrumental in founding Mercersburg College, which began its existence in 1864, under the presidency of Dr. Appel. When Dr. Appel went to Lancaster in 1871, Dr. Higbee succeeded him as President of the College, holding this position until 1880, when the institution closed its doors. The world will probably never fully realize the good accomplished by Mercersburg College, under the presidency of Dr. Higbee; but financial difficulties doomed it to an untimely end. Governor Hoyt at once recognized Dr. Higbee's abilities and nominated him for the position of State Superintendent of Schools. The wisdom of the choice was soon apparent, for the new Superintendent rapidly

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made a deep impression upon educational affairs. He was twice reappointed and was cut off in the midst of his work by a stroke of paralysis on December 13, 1889. Thus, Vermont gave two sons to Pennsylvania, both of whom stamped their personality upon the school system of our State, and whose memory it is pleasant to recall.

In the campaign for Governor in 1890, practically the same political conditions existed as in 1882. There were four candidates: George W. Delamater, Republican; Robert E. Pattison, Democrat; John D. Gill, Prohibition, and T. P. Rynder, Labor. Great dissatisfaction prevailed in the Republican ranks, and Mr. Pattison was elected Governor for a second time. Mr. Beaver retired from office on January 20, 1891, and at once resumed the practice of law. In 1895 he was appointed Judge in the new Superior Court, and a year later he was elected to this office for the full term of ten years.

In his inaugural address on January 20, 1891, Governor Pattison briefly referred to several important problems, which he hoped to consider during his administration: "First, constitutional enforcement; second, the purification of elections, involving ballot reform, personal registration and the prevention of the misuse of money in politics; third, taxation; fourth, municipal government."

During the month of May, 1891, great excitement was created in the financial and political circles of the State by the failure of the Keystone and Spring Garden National banks of Philadelphia, in which John Bardsley, the city treasurer, was a depositor not only of moneys belonging to that municipality, but also of taxes collected for the Commonwealth. A few days after the failure of these banks, it was found that Bardsley's losses would make him a defaulter to the city and the State to a large amount. He at once resigned his office, and was prosecuted for embezzling public funds. On trial, he pleaded guilty and was sentenced to fifteen years' imprisonment and to pay a fine of \$237,000. In ap-

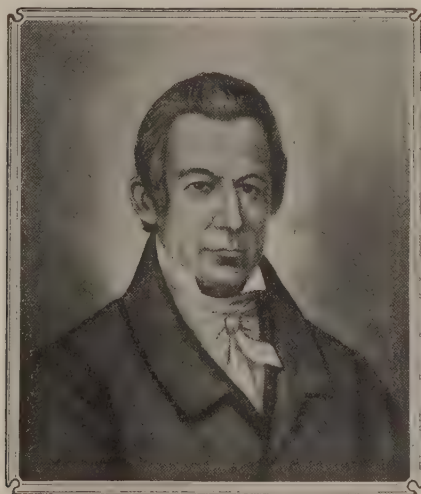
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pointing a successor to Mr. Bardsley there was a legal controversy between the city authorities and the State government. Governor Pattison appointed William R. Wright, as city treasurer; but he failed of confirmation by the Senate. After adjournment, the appointment was renewed; but Mr. Wright was denied admission to the office by the gentleman selected by the authorities of Philadelphia. The matter was referred to the Supreme Court, which body decided in favor of the Governor's appointee. Upon investigation it was found that the personal property tax collected by the city and due the State for the year 1890, amounted to \$472,013; for 1891, \$289,232.96, besides which there still remained unpaid \$367,614.18 in license taxes. Governor Pattison attached some blame for this defalcation upon the Auditor-General and the State Treasurer. In view of these facts, he convened the Senate in extraordinary session on October 13, 1891. An investigation followed; but after a lengthy session, the Senate decided that it had no jurisdiction in the matter.

By an act of June 19, 1891, the ballot reform system was established, the first practical test of which was made at the State and local elections on November 8, 1892. This is popularly known as the "Australian" ballot system, which provides for secrecy in voting, thus insuring the citizen freedom from intimidation. The first practical test of the method proved very satisfactory, and but few complaints were heard in any of the counties of the State. In suggesting revision in some of the minor details of the law, the Governor said: "The entire subject ought to be approached in a spirit of non-partisanship and to be treated in the light of experience, so as to secure what all good citizens of the Commonwealth approve—an electoral system which will provide a secret and honest ballot, enabling every voter to exercise his franchise with the greatest freedom and independence, suppressing and preventing coercion, interference, bribery or corruption, and securing a fair count, and an honest return of the real will of the people after it has been plainly expressed."

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In 1892, the Philadelphia and Reading Railroad endeavored to make a lease or consolidation of the Lehigh and Susquehanna and the Lehigh Valley Railroad companies. It was feared that this arrangement would have serious effects, since these railroads were the great coal carriers, and united into one system, they would



William Findlay

Member State Legislature, 1797 and 1803;
State treasurer, 1807-1817; governor, 1817-1820;
United States Senator, 1821; treasurer United
States Mint, 1827-1840

destroy competition, and have a monopoly of the coal trade. The Attorney-General examined the proposed lease, and decided that it was in violation of the constitution. On March 14, bills of equity were filed in the courts of Dauphin county for a perpetual injunction restraining the lessee from operating the corporations it had thus acquired. Before a decision was reached in our courts the combination was broken up by a decree of the Chancellor of

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New Jersey, setting aside the leases between these companies. The Central Railroad of New Jersey, operating the Lehigh and Susquehanna, thus resumed possession of its lines and began operating the same; while shortly afterward, the Lehigh Valley railroad passed from the control of the Reading system.

There were numerous strikes during Pattison's administration, in the suppression of which it was necessary to use the strong arm of State authority. About six o'clock on the morning of April 2, 1891, the Governor received a dispatch from the sheriff of Westmoreland county, giving the information that, in a riot, seven persons had been killed and twenty-one wounded. As the sheriff declared himself unable to restore order, the Governor at once ordered two regiments of the National Guard to his assistance. The troops reached the scene of disturbance in a few hours, and at midnight peace was restored; but it cost the State \$35,350.¹³ to bring about these results. On July 6, 1892, the sheriff of Allegheny county telegraphed to the Governor, asking military protection from the mob at Homestead, where several collisions had occurred with fatal results. The strike here was caused by the effort of the Carnegie Steel Company to reduce the wages of its employees. Armed men were employed by the company to protect those men who wished to work, while a large force of Pinkerton detectives was brought there to guard the property. The striking miners attacked these detectives, and in the riots a dozen lives were lost. The Governor insisted that the local authorities must exhaust all means to preserve the peace before the National Guard could be called out. On July 10, the sheriff of Allegheny county again telegraphed for assistance. Governor Pattison immediately ordered the Major-General to move two brigades of the troops to Homestead, which place was reached on the morning of July 12. The presence of the soldiers had a salutary effect upon the lawless mob and order was restored, imposing a cost on the State of \$430,056.⁸⁸ Governor Pattison

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was convinced that the authorities at Homestead had made no serious effort to suppress the disorder. In referring to this matter, he said: "The entire community seemed to surrender to the disorderly element. At the beginning, fifty determined men, moved by a love of order and a patriotic spirit, would have suppressed this whole disturbance. I therefore suggest to the legislature that the costs incurred in suppressing local disturbance in which the civil authorities call upon the military power of the Commonwealth, should be placed upon the county calling for the troops. This may be an incentive to local authorities to determine action in the beginning of a disturbance, rather than have their treasury mulcted in a large sum to defray the expenses. At least the State can make some effort to prevent the often hasty and unwarranted calling for the presence of troops." These riots continued at other places. On January 27, 1893, there was a strike at Mansfield, Allegheny county, resulting in the destruction of property and the loss of life. In June, 1894, the foreign miners in Jefferson county caused a strike, and the disposition to destroy property rendered it necessary to call out two regiments of the National Guard. Statistics give fifty-three strikes for 1893, and twenty-seven for 1894, all the latter failing in their purpose save three.

The State of Pennsylvania made a very commendable showing at the World's Columbian Exposition held at Chicago in 1893. The legislature granted an appropriation of \$300,000, of which sum \$130,000 was used for the erection and furnishing of a State building. The various interests of agriculture and forestry, horticulture, live stock, fish and fisheries, mines and mining, machinery, transportation, manufactures, electricity, fine arts, liberal arts, and ethnology were all represented. The exhibit well illustrated the material and educational progress of the State, and the commission in charge of the work performed their duties in a most faithful manner, meeting all expenditures, and leaving an unused balance of more than twenty-four thousand dollars.

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An effort was made to promote the interests of forestry in 1893, the legislature having voted an appropriation, thus enabling the Governor to appoint a commission. William F. Shunk was selected as engineer, and Dr. J. T. Rothrock as botanist of the commission. Within two years they made a careful study of the forests in thirty-three counties, and made an interesting report thereon, the closing part of which read as follows:

"We have found extensive areas of the State depopulated, waste and becoming each year more impoverished, and we have arrived at the profound conviction that unless some counteracting agencies be set at work, the productive capacity of from a sixth to a fourth of the Commonwealth will be most seriously impaired. Between lands stripped of timber and steep hillsides, which have proved unremunerative in agriculture, there exists a vast area, the present tendency of which is to become constantly worse, until no crop can be hoped for from it.

"It is hardly likely that we shall be able personally to cover the State before the expiration of our commissions; nor, indeed, is it required by the act under which we work that we should do so, but we shall have ample facts to indicate the need of prompt and positive action on the part of the State."

In 1893, the legislature appropriated half a million dollars for the erection of a fire proof building on the east side of the Capitol grounds, to be occupied by the State Library and the various executive offices. The building was promptly completed, thus making a handsome addition to the Capitol buildings, and at the same time affording a permanent home for the State Library with its hundred thousand volumes.

On October 7, 1894, Andrew Gregg Curtin died at his home in Bellefonte, in the eightieth year of his age. This event caused profound sorrow in all parts of the land, and the newspapers were filled with tributes and eulogies on his heroic character. The great "War Governor" of Pennsylvania was called to join the ranks of the soldier dead, whom he had so often inspired with

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courage during the Civil War. His funeral took place at Bellefonte on October 10, and the ceremonies were a fitting tribute to his worth as a citizen, a lawyer and a patriot. One of the most beautiful references to his memory was that of his old friend, Colonel A. K. McClure, who said: "Just as yesterday's sun was lifting the curtain of night in the east, with the promise of the brightest of autumn Sabbaths, the life of Andrew Gregg Curtin ended in that dreamless sleep of the dead. Measured only by his great public record that is rarely equalled in patriotic achievement, in field or forum, he did not die untimely. He had passed the period allotted to mortals and his great work was finished. For several years he has rested from the wearying exactions of public affairs, but he did not lag superfluous on the stage. His interest in the country in whose annals he has written a most illustrious chapter, was never lessened; and his life closed in that mellow grandeur of ripened years, with all the cherished affections of youth, and beloved by all who came within the range of his acquaintance."

In the election for Governor in 1894, there were five candidates: Daniel H. Hastings, Republican; William M. Singerly, Democrat; Charles I. Hawley, Prohibition; Jerome T. Allman, People's; and Thomas H. Grundy, Socialist-Labor. Notwithstanding this array of candidates, the Republican party was united, and Hastings was triumphantly elected, receiving the largest vote in the history of State elections. After retiring from office on January 15, 1895, Governor Pattison entered into business in Philadelphia, where he became president of the Security Trust and Life Insurance Company. In 1896, he was the choice of the Pennsylvania delegation in the Democratic convention at Chicago for nomination for President of the United States, receiving about one hundred votes. In 1902, he was again the Democratic candidate for Governor, but was defeated by Hon. Samuel W. Pennypacker.

CHAPTER XXII.

HASTINGS'S AND STONE'S ADMINISTRATIONS—1895-1903

DANIEL HARTMAN HASTINGS was inaugurated as Governor on January 15, 1895. Popular with the masses, as his plurality exceeding 241,000 votes indicates, the people looked upon his elevation to this high office with great favor. General Hastings was born of Scotch-Irish parentage in Clinton county, Pennsylvania, in 1849. He passed his boyhood days upon his father's farm, and in the winter months, attended the country school. At the age of fifteen, he became a teacher in Clinton county. In 1867, he was elected principal of the academy at Bellefonte, and a year or two later was principal of the public schools at that place. At the same time, he edited the "Bellefonte Republican," and studied law, being admitted to the bar of Centre county in 1875. Later on, he became interested in the mining industry in Cambria county, in which business he acquired considerable wealth. Although too young to participate in the Civil War, General Hastings always manifested great interest in military affairs. In 1877, he became a captain in the National Guard. In 1884, he was commissioned colonel of the 5th Infantry, which he commanded until he was appointed Adjutant-General by Governor Beaver. The work done by General Hastings in connection with the Johnstown flood, made him a popular hero. From that time on his name was frequently mentioned in connection with the governorship. In 1890, he was a candidate for the

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nomination; but was defeated in the convention by eleven votes. Four years later he was nominated and triumphantly elected.

In his inaugural address, Governor Hastings urged improvement and expansion in the methods of transacting the business of the State through its various executive departments. He said: "The people have the right to demand, and do expect, that the business of the State shall be conducted on principles which experience and sound judgment have established as safe and prudent, and that the General Assembly will act as promptly upon the work before them as prudence and proper deliberation will permit." Following the Governor's suggestions, the legislature created several new executive departments. By an act of June 24, 1895, the Superior Court was organized to relieve the pressure of business in the Supreme Court of the State. On November 5, of that year, James A. Beaver, Edward N. Willard, John J. Wickham, Charles E. Rice, Howard J. Reeder, George B. Orlady, and Peter P. Smith, were elected judges of the new court. On March 13, 1895, an act was approved for the establishment of the Department of Agriculture. The wisdom of this legislation was at once demonstrated. The new department, through its Secretary, at once began a vigorous campaign to improve the agricultural conditions of the State. Farmers' institutes were organized and held in the different counties during five months of the year. In four years seven hundred and forty-three of these meetings were held, with an average daily attendance of three hundred and fifty, thus reaching at least two hundred and fifty thousand people. One thousand lecturers assisted in the work, which, it may be said, was supplemented by the courses offered in the School of Agriculture at the State College. The act establishing the Department of Agriculture directed the Secretary to obtain and publish information as to the extent and condition of the forests in this State. The legislature in 1897 passed an act authorizing a commission to secure State forestry reservations. Up to No-

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vember 30, 1898, 55,681 acres of woodland located at the headwaters of the larger rivers, had been purchased for forestry reserves.

On July 3, 1895, an act of the legislature was approved for the erection of a monument to each of the Pennsylvania organizations engaged in the battles of Chickamauga and Chattanooga, the said monuments to be placed on their respective battle lines. An appropriation of \$1,500 was made for each monument, and an executive committee was appointed with power to act. The work was completed in 1898, and it reflects great credit to the State, and to the regiments interested in these memorials.

In 1895, the number of factory inspectors was increased from twelve to twenty, and the work of supervision was distributed among fifteen men and five women. Up to 1897, 6,636 factories were inspected and one hundred and sixty-one children under thirteen years of age were dismissed from employment. In 1895, an act was also passed providing for the safety of persons employed in tenements where clothing, cigars and other articles are made. By means of this legislation, larger factories were secured, provided with sanitary improvements and fire escapes.

In 1895, the Cotton States and International Exposition was held at Atlanta, Georgia. Realizing the importance of this event, our legislature, by joint resolution, authorized the appointment of a commission to prepare an exhibit. An appropriation of \$38,000 was made, and a State building was erected. The display made by our citizens was creditable, and compared favorably with those of other States. November 14 was "Pennsylvania Day," when fitting ceremonies were held at our State building.

On the afternoon of February 2, 1897, the main capitol building at Harrisburg was destroyed by fire. The legislature, then in session, having no place for assembly, Grace Methodist Episcopal church was hurriedly fitted up for that purpose. The Governor at once urged the erection of another building, and suggested that a structure suitable for the use of the General Assembly could be



William Tilghman

Member Maryland Legislature several years; chief judge United States Circuit Court 1801-1802; judge Court of Common Pleas in Pennsylvania, 1805; chief justice State Supreme Court in 1806. Photographed especially for this work from original canvas at American Philosophical Society

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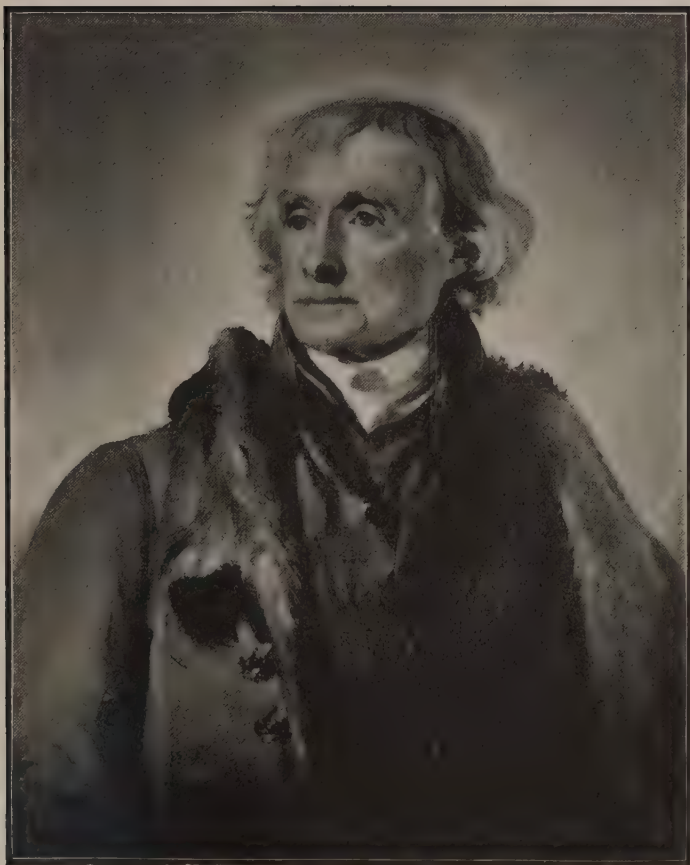
built at a cost not exceeding \$550,000. The legislature promptly authorized the appointment of a commission to devise plans for the new building, and to supervise the erection of the same. The corner-stone was laid on August 10, 1898, and the structure was occupied by the legislature in January, 1899. There were many disputes in the Commission during the construction of the building, which, when turned over to the State, must have been in an unfinished condition, according to Governor Hastings's account of it. The Governor said: "The act requires that the building 'shall be built in that phase of the renaissance style of architecture known as the Colonial.' This structure bears no more resemblance to Colonial architecture than does the Egyptian sphinx. There are scores of farmers' barns in Pennsylvania more attractive in appearance than this building. It is made of common brick, embedded in cheap mortar, looks like a hastily erected factory building, and is repulsive to the eye. The roof is made of hemlock and pine boards covered with tarred felt, pitch and sand; the gables and dome are covered with third-rate quality of pine fencing boards; and the floors are made of common pine boards which give under the feet. The stairs and staircases, including the main entrance, are all wood, and the partitions between the rotunda and west wings and upper floors are of seven-eighths inch matched pine fencing, and the same material is placed in front of the elevator shafts. Only about one-fifth of the entire building is plastered at all, and such as is plastered is of two-coat work. There is no plastering whatever in the halls of the Senate and House of Representatives. The Senate Chamber walls are finished with burlap stained green, fastened to the rough sides of the wall composed of brick and tiles. The walls of the House of Representatives are finished with burlap stained garnet, and fastened to the rough brick walls, also made of tile and brick. Although the act of Assembly requires that the building shall be 'made as nearly fire-proof as possible,' the roof and most of the interior fittings are as combustible as possible."

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In the fall of 1897, the peace of the State was disturbed by a series of strikes in the coal regions. On September 10, the Governor was informed that a collision had occurred between the sheriff of Luzerne county, and the miners in the vicinity of Hazleton. In this struggle eighteen miners were killed, and a large number were wounded. The excitement became intense, and the strike spread into adjoining counties, until more than ten thousand miners were involved in the uprising. At a public meeting held in Hazleton, resolutions were adopted requesting prompt action on the part of the State government. The sheriffs of Schuylkill and Carbon counties also informed the Governor that they were unable to preserve order. The strikers had threatened to march in a body on Hazleton and avenge the death of their comrades. The serious condition of affairs prompted the Governor to call out the militia; accordingly, orders were issued, directing the Third Brigade, General Gobin commanding, to report at Hazleton. In a few hours, 2,499 officers and men were at the scene of disturbance fully equipped for any emergency. The presence of the troops had a salutary effect, and order was restored without firing a shot. On September 24, the soldiers began to break camp, and by October 4 the last division had left for home.

The Spanish-American war aroused much enthusiasm in the National Guard of Pennsylvania. On April 25, 1898, President McKinley called upon the Governor for 10,860 soldiers for the volunteer army, the troops to be taken from the State militia. On the same day, orders were issued for the National Guard to report at Mount Gretna on April 28. The Guard assembled here with characteristic promptness, when a general order was issued, part of which read as follows:

"The Commander-in-Chief desires to impress upon the officers and men of the National Guard of Pennsylvania his appreciation of the patriotism evidenced by the prompt response to General Orders No. 7, A. G. O., c. s., and directs attention to the fact that



Thomas Jefferson

Drafted Declaration of Independence, 1776;
third President of the United States, 1801-1809.
Photographed especially for this work from the
painting by Sully in possession of the American
Philosophical Society

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the necessities of the situation do not require that any member of the National Guard of Pennsylvania shall consider himself bound by such membership to enlist in the service of the United States, if such enlistment shall impose upon him personal sacrifices not made necessary under the limited call of the President, or hardships upon those who are dependent upon him for support, nor shall such non-enlistment be in anywise considered an avoidance of duty or be to the prejudice of men who, willing to endure everything for their flag and country, are not called upon to render service that can be rendered by those upon whom the demands of home and family do not rest so heavily, and who await the opportunity to serve their country."

Although this order was read to each command, at least seventy-one per cent. of the National Guard volunteered. On May 13, the work of recruiting was completed, when it was found that 592 officers and 10,268 men had enlisted in the service of the United States, for a term of two years unless sooner discharged. On May 25, 1898, the President issued a second call for troops, this time the number being 75,000 men. Pennsylvania's quota was 6,370, which was promptly furnished. The Pennsylvania troops were at once ordered to the military camps in the Southern States. The Tenth Regiment was ordered to Manila, where the troops of this command made a gallant record for bravery in several engagements. The artillery, cavalry, and the Fourth and Sixteenth Regiments served in the campaign in Porto Rico. The other divisions furnished by our State remained in camp in this country. With the return of peace, the Pennsylvania troops were all honorably discharged, excepting the Eighth, Tenth, Thirteenth, Fourteenth, Fifteenth and Sixteenth Regiments. Great efficiency was displayed by the military department of the State on this occasion. Pennsylvania offered her full quota of men before any other State, and our troops, when in camp and field, displayed all the qualities of regulars.

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When fever broke out in the military camps, the hospitals of the State offered quarters and medical treatment to the stricken soldiers. Finally, Camp Meade was established, near Harrisburg, and with the assistance of the Pennsylvania Sanitary Commission, regular hospital trains were provided to carry from the camp those suffering with fever. The Pennsylvania Sanitary Commission developed into a National Relief Commission, which rendered valuable aid to the entire volunteer army, and did so much to alleviate the sufferings incident to war.

The State made commendable progress in educational work during Hastings's administration. The enforcement of the law making attendance at school compulsory began to show good results, and the act permitting boards of education to establish school libraries opened the way for a more general diffusion of knowledge. Provision was also made to more carefully guard the interests of higher education. By an act of the legislature in 1895, the College and University Council was organized with power to regulate the granting of charters to degree-conferring institutions. Prior to the adoption of the Constitution of 1873, the legislature granted charters of a collegiate nature to many seminaries of a low grade. The result was a great abuse in the privilege of conferring degrees. The College and University Council is endowed with ample authority to correct such abuses, and in the case of chartering a new institution, to require a certain high educational standard. Governor Hastings was very anxious to extend the advantages of secondary education to the rural districts; hence his warm advocacy of township high schools. He believed that the agricultural regions were being depopulated chiefly on account of the lack of proper school facilities. In his message of 1897, he spoke eloquently on this subject, as follows: "The township high school is needed in our agricultural communities to provide equal opportunities and advantages with those now in existence in the towns. If the population of one town-

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ship, and other conditions should not require a separate high school, two or more townships could unite and jointly share the expense and advantage. Ten acres of ground, partly wooded, a stream of water, a commodious play ground, with facilities for an arboretum, orchard, garden, flowers and park, surrounding suitable buildings fully equipped, and with competent teachers, conducting the scholars who have passed beyond the district school, through a three or four years' high school course, is a consummation which, besides being pleasant to contemplate, is neither impossible nor unnecessarily expensive. The State can make no better use of its revenues than to employ them in this direction. We boast of our great material resources. They were here ages before William Penn became our founder. They were valueless until touched by the hand of man. Man makes the State. Coal and iron, oil and gas, fertile soil and boundless forests are only adjuncts. Mind training should be the chief industry. The intellectual and moral development of the youth of the land is the paramount duty. The same spirit which built the church and brought religious teaching to the home of the poor as well as the rich ought surely to bring to the door of all the opportunity for that education best suited to their needs, capacity and natural adaptation. The township high school will place the farmer's boy on the same basis with the town and city body. The States of Maine, Wisconsin, Michigan and Massachusetts have pointed the way to secondary and higher education worthy of our emulation. The twentieth century system of free education should make it possible for every boy and girl beginning with the common school, to continue through the high school up to the end of the college course. A large number might not avail themselves of the advantages of the college course, but the opportunity should be ever present for the deserving patron of the common and high school. The connecting link between the high school and the college, as a part of a free educational system, has been an accom-

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plished fact for several years in at least one of our sister States." Such were Governor Hastings's educational sentiments. The State was far from realizing his ideals; for in many districts, the salaries of the teachers did not equal the annual cost of maintaining a pauper in the alms-house. There was, however, an increase in the number of high schools; but very few had as yet been established in the rural districts.

The campaign for Governor in 1898 was attended by many exciting incidents. The candidates were William A. Stone, Republican; George A. Jenks, Democrat; Silas C. Swallow, Prohibitionist; and J. Mahlon Barnes, Socialist-Labor. Dr. Swallow made an active canvass of the whole State, addressing meetings in the cities and larger towns. At one time in the campaign, considerable anxiety was felt in the Republican ranks; but Mr. Stone was elected by a plurality of over 117,000 votes. Governor Hastings retired from office on January 17, 1899, and devoted himself to the mining interests in which he had been concerned for a number of years. His death on January 9, 1903, came as a shock to his many friends and admirers. A severe attack of pneumonia hastened him off in the midst of a successful career, when apparently many years of usefulness lay before him. He had carved out his own career, starting at the age of fifteen, when he trudged twenty miles through the snows to seek a position as teacher. He rose until he became chief magistrate of the State, and his fellow citizens were always proud of his achievements. Their good will followed him into private life, and people of all parties shared the bereavement at the time of his death.

William Alexis Stone, who succeeded General Hastings as Governor of the Commonwealth, was born in Tioga county in the year 1846. He was educated in the country schools, and at the Mansfield State Normal School. As a boy of seventeen he enlisted in the 187th Pennsylvania Volunteers, and was mustered out in 1865 with the grade of second lieutenant. In 1870,

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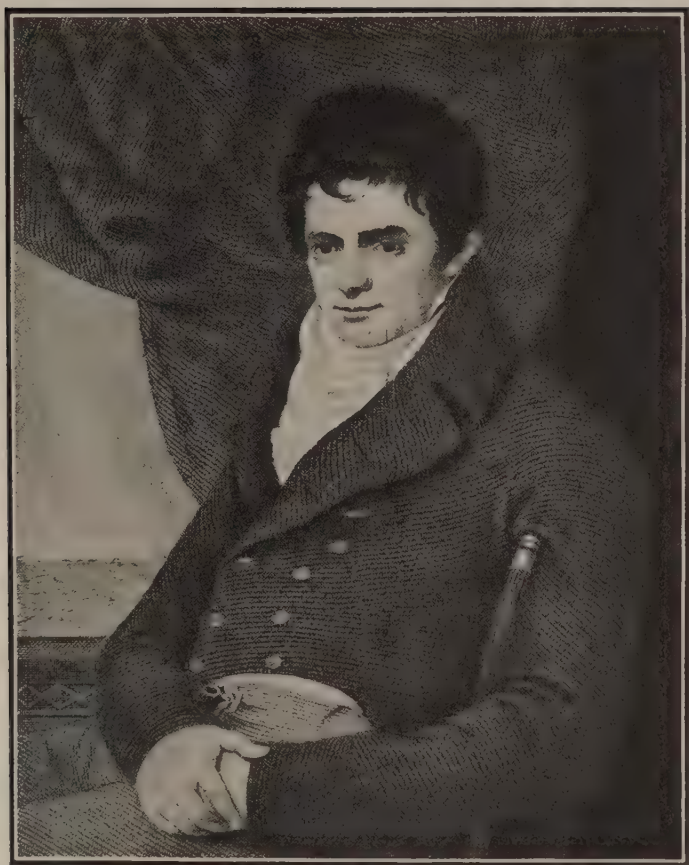
he was admitted to the bar of Tioga county, and practiced law at Wellsboro. In 1887 he removed to Pittsburg, and engaged in the work of his profession. From 1880 to 1886 he was United States District Attorney for the Western District of Pennsylvania. Mr. Stone represented his district in Congress from 1891 until 1899, when he became Governor of the State.

The new administration was confronted at the beginning with serious financial difficulties. While the net debt of the State was only \$1,025,981.93, a floating debt of three and a half million dollars had accumulated, and this was annually increasing at the rate of five hundred thousand dollars. This condition resulted from the fact that past legislatures had appropriated more money than the estimated revenues. The income of the State treasury was sufficient to pay only the current expenditures, exclusive of the floating indebtedness. The Governor referred to this embarrassing situation in his inaugural address. He showed that the revenues were not likely to exceed eleven and a half million dollars, while the estimated expenditures for the year 1899, were sixteen million dollars. He then presented statistics to the effect that Pennsylvania appropriated larger sums for educational purposes than any other State in the Union, the amount in 1898 exceeding sixty-four per cent. of the entire revenue. As a remedy to meet existing difficulties, the Governor suggested that a portion of the annual appropriation of five and a half million dollars for the common schools be withheld. In referring to this subject, he said: "As I have before stated, it is far in excess of the amounts appropriated by other States. It is far beyond a due and reasonable proportion of our annual revenues. But the State has entered upon this project, and it might be unwise to reduce this appropriation. I would not like to recommend this except in case of necessity. I would not hesitate to do it if I saw no other way out of the difficulty, for there is one point beyond which I could not justify myself in going, and that is to

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approve bills which appropriate more money than the State is likely to receive in the coming fiscal year." In the session of 1899, the legislature as usual appropriated \$11,000,000 to the public schools for the period of two years, or five and a half million dollars annually. When the appropriation bill reached the Governor for his approval, he reduced the item for public schools to \$10,000,000 for two years. In taking this action, he said: "If a large deficit did not already exist in our Treasury on account of these appropriations, and if the anticipated revenues of the State would justify their continuance, I should most cheerfully give my approval to this section of the General Appropriation Bill. I cordially commend the intelligent purpose and patriotic devotion of our citizens to the common schools of the State, but every honest man must concede that it is impossible for the State to give away more money than it receives, no matter how worthy the purpose for which the money is expended. It is absolutely necessary to reduce the appropriations made by the legislature, and it has seemed to me that, since free text-books have already been provided and paid for out of the general appropriations made since 1893, the annual appropriations could be reduced \$500,000 a year without doing any injustice to the schools." Within two years, the financial condition of the State had greatly improved, and there was a large cash balance in the treasury. In his message to the legislature in 1901, the Governor, therefore, urged the passage of a bill appropriating the million dollars withheld from the schools. This was accordingly done; hence the educational interests of the State suffered only temporary inconvenience from the reduction two years before.

The peace of the State was seriously disturbed by riots at Shenandoah in the fall of the year 1900. An extensive strike was then in progress in the anthracite coal region, and on September 21, two thousand men occupied the streets of Shenandoah, firing revolvers and resisting the civil authorities. Two persons



Robert Fulton

Artist; inventor; the first to make a commercial success of steam navigation, 1807. Reproduced especially for this work from an engraving by Gilbert Parker, after a painting by Benjamin West

Hastings's and Stone's Administrations

were killed and seventeen wounded. The sheriff of Schuylkill county reported these facts to the State government, and requested the protection of the National Guard. Governor Stone immediately took action, and on the morning of September 22, orders were issued for the movement of the Fourth, Eighth, and Twelfth Regiments, Battery C, and the Governor's Troop to Shenandoah. By noon that day, two thousand troops were at the scene of disturbance, thus preventing any further violence. The troubles were all adjusted before October 31, on which date the last of the Guard was withdrawn.

On May 2, 1902, another strike was inaugurated in the anthracite coal field, beginning as in 1900, with a riot at Shenandoah. The sheriff of Schuylkill county was not able to control the mob, and called on the Governor for aid. The Eighth and Twelfth Regiments, a portion of the Fourth Regiment, and the Governor's Troop were placed on duty under the command of Brigadier-General Gobin. During the summer the strike spread into Carbon, Lackawanna, Northumberland, Luzerne, Susquehanna and Columbia counties, thus practically closing all the anthracite mines. As acts of violence became frequent, the sheriffs of these counties made requests for troops. The Governor then called out the following divisions: August 27, Second Troop, Philadelphia Cavalry; September 23, Thirteenth Regiment Infantry; September 24, Ninth Regiment Infantry; September 28, Sheridan Troop; and September 29, the remaining eight companies of the Fourth Regiment. It was hoped that, with the presence of this large military force, property could be protected and the mining of coal resumed. But as the disaffected region was so large, not much progress was made in this direction. By this time, cool weather was approaching, and the people feared a coal famine that might extend through the winter. Public opinion demanded further protection on the part of the State. Governor Stone was, therefore, urged to place the remaining

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divisions of the National Guard on duty, and by October 17, 8,750 troops were in the field, or ninety-two per cent. of the entire Guard. In the meantime serious efforts were made to adjust the differences existing between the operators and the miners. In these negotiations, Hon. George F. Baer, President of the Philadelphia Coal and Iron Company, and John Mitchell, President of the United Mine Workers of America, became prominent figures in the eyes of the people. President Roosevelt finally persuaded the representatives of the operators and the miners to submit all difference to a commission of arbitration, or commission to investigate all the problems connected with mining, and to make a report thereon which would be binding on both parties. The members of this commission were General John M. Wilson, E. W. Parker, Hon. George Gray, E. E. Clark, Thomas H. Watkins, Bishop J. L. Spalding, and Hon. Carroll D. Wright. The last troops were recalled from duty on November 12, and mining was at once resumed, pending the deliberations of the strike commission. The labors of the commission were arduous, and the final award was not announced until March 21, 1903, the chief points of which are an advance of ten per cent. in wages, and a refusal to recognize the miners' union.

The phenomenal growth of the country was fittingly illustrated in the Pan-American Exposition at Buffalo, New York, which was held from May 1, to November 1, 1901. Congress appropriated \$500,000 toward the enterprise, and the various States responded in a liberal spirit. Pennsylvania, through the legislature, made generous provision for an exhibit, and Governor Stone appointed Hon. Joseph Buffington and Colonel James Elverson as vice-presidents, and Mrs. William McCreery, and Mrs. Charles C. Harrison as members of the Board of Women Managers. A pall of sorrow was cast over the whole country on account of the assassination of President McKinley, while visiting the Exposition on September 6. Governor Stone at once issued

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a proclamation appointing September 8 as a day of prayer for the restoration to health of the President of the United States. Mr. McKinley died on September 14, and the Governor issued another proclamation, making Thursday, September 19, the day of the President's funeral, a day of mourning and prayer throughout the State. On this occasion all business was suspended, and the people rendered a full measure of reverence in honor of the President, who was so suddenly removed by death.

At the election for Governor in November, 1902, the candidates were Judge Samuel W. Pennypacker, Republican, and Hon. Robert E. Pattison, Democrat, each of whom made a tour of the State, addressing meetings in the principal towns. Mr. Pennypacker was elected by a plurality of over 150,000 votes, and was inaugurated on January 20, 1903. The new Governor was born at Phoenixville, Chester county, April 9, 1843. His father, Dr. Isaac A. Pennypacker, was a prominent physician, and for a time held a professorship in the Philadelphia College of Medicine. Judge Pennypacker was educated in private schools and graduated from the law department of the University of Pennsylvania. In 1863 he went to the front as a member of the 26th Pennsylvania emergency regiment, which met the first onslaught of the enemy at Gettysburg. He was admitted to the bar of Philadelphia in 1866, and practiced law until 1889, when Governor Beaver appointed him to fill a vacancy on the bench of Common Pleas in that city. The next year, he was elected for the full term of ten years, and was re-elected in 1900. Judge Pennypacker is the author of several legal works, and has also written a number of books relating to the early history of Pennsylvania.

The history of Pennsylvania is thus written down to the present time—a record of two hundred and sixty-five years, from the first settlement by the Swedes in 1638. The subject is one of peculiar interest, whether considered from the point of view of a proprietary colony, a centre of revolutionary activity, or a great

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commonwealth of the nineteenth century. Stirring scenes and events crowd the distant past, while on every hand there are enduring monuments of the great founder's wisdom. The richest legacy bequeathed by Penn, however, is his lesson on the nature of good government. He said: "Governments, like clocks, go from the motion men give them, and as governments are made and moved by men, so by them they are ruined, too. Wherefore governments rather depend upon men, than men upon governments. Let men be good, and the government cannot be bad; if it be ill, they will cure it. But if men be bad, let the government be never so good, they will endeavor to warp and spoil to their turn." These words are just as applicable to-day as they were when written more than two centuries ago; and if wisely followed they will give permanence to our institutions, and secure the welfare of the people for ages to come.

CHAPTER XXIII.

PITTSBURGH AND ITS ENVIRONS

THE region known as western Pennsylvania first begins to appear to the eyes of civilized men about the beginning of the third decade of the eighteenth century.

It lay under the sun a virgin wilderness ribbed by ranges of hills and low mountains having a general trend from the southwest to the northeast. Between the hills ran brooks and rivulets innumerable, at last mingling their waters in the south to form the lazily flowing Monongahela and in the north to form the clear, swift-rushing Allegheny and the Beaver, all at last discharging their streams into the broad Ohio, *la belle rivière* of the French voyageurs.

In the valleys and on the mountains to their summits there were trees. On the mountains grew pines—leagues, leagues upon leagues of regal pines—white pines, towering an hundred and fifty feet toward the sky; and there were broad areas somber with the shade of hemlocks. Mingling with the pines and the hemlock-spruces there grew on the mountains oaks of many species, maples, birches, beeches, lindens, tulip-poplars, magnolias, and wild-cherry trees. Everywhere on the ridges where the trees grew thick by the watercourses were tangled masses of rhododendrons, laurels, alders, and witch-hazels. In the valleys, too, there were oaks, but higher than they stood the sycamores, with great white branches beckoning skyward, drooping elms, horse-chestnuts, and catalpas. Close by the watercourses were fringes of wil-

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lows. Grapevines and Virginia creepers mantled the trees everywhere, and every stump was draped with woodland festoonery, and every shady nook was full of ferns and flowers. In April the service-berry wove a web of fine white blossoms like fleecy clouds along the hillsides, and in May the dogwood threw forth snowy masses of bloom against the green of the forest walls. Everywhere there were flowers. Here the Canadian and the Carolinian floras met and mingled in beauty. In the fall of the year the mountain sides were ablaze with such glory of autumnal foliage as is nowhere else to be seen in the world. Of all "the woody lands of Penn" these were the most resplendently woody.

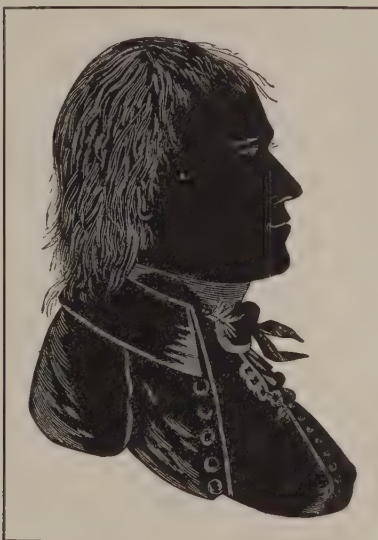
The woods were the home of innumerable birds. Three hundred and more species haunted the mountain sides or dwelt upon the waters. The sky at times was darkened by flights of passenger pigeons, millions of them congregating at nightfall at their roosts. The Carolina parrot made nests in the hollows of the sycamores along the Beaver. Wild turkeys roamed through the underbrush. In the spring and the fall the rivers were black with swarms of ducks and wild geese.

In the forest ranged the moose, the wapiti, and the Virginian deer. The black bear grew fat upon grubs and berries among the hills. The puma haunted the deep ravines. On all the smaller streams the beaver had built his dams. In the western part of the broad domain the bison was found straggling eastward from his grazing grounds in Kentucky and the prairie lands of the Wabash and the Illinois.

Of human inhabitants there were but few. At most a few thousands of red men built their wigwams in the wilderness and plied their rude canoes upon the rivers. Near the main streams, here and there, they had carved upon the rocks the signs which told to what tribal clan they belonged. Here and there were earthen mounds, which were the burial places in which their forefathers had laid their dead to rest. They planted a little maize and grew a little tobacco. They derived their subsistence mainly

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from the chase and from fishing. Intertribal wars had told heavily upon their numbers at the time. They were a silent, courageous, but poor and weak people, whose time on earth was nearly past. Soon the great sea of Caucasian invasion, the



Samuel Barr

First Presbyterian clergyman settled in Pittsburgh, 1786. Reproduced for this work from a print in possession of Dr. W. J. Holland

lapping waves of which had already begun to flow over the eastern edge of the continent, will have swept over them, and though with savage bravery they may resist for awhile, they will be swallowed up and lost forever.

When the first white man entered the woodlands of western Pennsylvania will never be certainly known. That a few wandering trappers and fur-traders had come into the region from the

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shores of the Potomac and the Susquehanna as early as the second decade of the century is almost certain. That a few parties of wandering Frenchmen had come down the Allegheny in the third decade is known. That a growing traffic in rum and furs was carried on with the Indians of the region by "packmen" in the next decade, is attested by indisputable evidence. These "packmen" Benjamin Franklin declared to be "the most vicious and abandoned wretches of our nation." While the older settlements prospered indirectly as the result of the growing traffic in which the red man exchanged his peltries for the strong drink of the white man, the frontier was the scene of much debauchery and violence.

While trappers and traders were beginning to enter the region from the east and the southeast, a more formidable movement was being planned in the north. The French, who had held possession of the valley of the St. Lawrence for nearly two centuries, had already pushed their explorations to the head of Lake Superior, to the sources of the Mississippi, and thence southward along the great river to its mouth, and westward into the region of the Missouri and the Rocky Mountains. They laid claim to the entire continent north of the Spanish possessions, except the narrow strip along the Atlantic coast occupied by the English. To western Pennsylvania they laid claim because of the explorations of La Salle and his successors. While it had long been known that access to the lower valley of the Mississippi could easily be had by way of the Allegheny, which was at first known alike to the French and the English as the Ohio, the powerful confederacy of the Iroquois and their alliance with the English in New York had deterred the French from often utilizing this route. But the Indians early in the eighteenth century had become partially estranged from the English and had made a treaty with the French. The time had come, when, in the judgment of the authorities at Montreal, it was their duty to assert their claim to the valley of the Ohio. Accordingly Celeron was

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dispatched in 1749 to take possession of the region. The party consisted of two hundred and forty-six souls. After many fatigues and perils, they accomplished their mission, here and there fastening proclamations to the trees and burying leaden plates in the soil calling attention to the fact that the whole broad domain was claimed as the property of the French crown. Where traders were found they were summarily ordered to quit the region as intruders, and the attention of the governor of Pennsylvania was called by Celeron in a letter to his surprise and indignation at finding English-speaking traders at a point near the present town of Tarentum. A similar party of six traders were encountered by him at Shannopin's Town, an Indian village, the site of which was within the present limits of the city of Pittsburgh, on the banks of the Allegheny at the foot of Thirty-second street.

But while the French were endeavoring to enforce their claim to the region, the English in Virginia had also resolved upon action. Virginia, in virtue of her charter, laid claim to all the lands drained by the Ohio and its tributaries. In the year 1748 the Ohio Company was formed, and secured a charter making a grant of half a million acres between the Kanawha and the Monongahela. The condition of the grant was that within seven years one hundred families should be settled in the region, and that a fort should be built and properly garrisoned. In order to ascertain how best to carry out their plans, the Ohio Company in 1750 dispatched Christopher Gist, an Englishman who had settled in North Carolina, to make a reconnoissance. He was an intrepid and faithful man, skilled in all the arts of the frontier. He reached the site of the present town of Ligonier on November the 14th, 1750, arrived at Shannopin's Town on the 19th of the same month, and after a brief stay pushed on down the Ohio and to the Muskingum, where he found George Croghan, who had been commissioned by the authorities of Pennsylvania to make friendly advances to the Indians on the frontier, and who was ac-

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accompanied by Andrew Montour, a half-breed interpreter. Gist returned the following spring to his home and reported to his employers what he had ascertained.

Presently a change took place in the government of the French provinces in Canada. The Marquis Duquesne succeeded the Marquis de la Joncaire, and promptly resolved to establish a line of fortifications from Lake Erie along the Ohio, thus walling out the English from the great fertile valleys lying to the west. Marin and St. Pierre, in the spring of 1753, set out with a force of over one thousand men to occupy the land. They chose the harbor of Erie, which they called Presque Isle, as their base of operations, and by the time the snow flew they had built a fort of squared timbers at Erie, made a good road for fifteen miles through the forests to the point where the town of Waterford now stands, and had there erected an even larger and more substantial fortification than the one at Presque Isle. To this they gave the name of Fort le Boeuf. They had also endeavored to erect a fort at the point where French creek empties into the Allegheny, the site of the present town of Venango. From this they were, however, deterred by the Indians, who refused consent to the step. Nevertheless, they succeeded in obtaining the permission of the red men to occupy the spot with a company of troops under the command of Joncaire. The lilies of France, when the leaves fell in autumn, were flying on the soil of the territory claimed by Virginia and also claimed by the descendants of William Penn.

Tidings of what the French had done during the summer of 1753 came to the ears of Governor Dinwiddie. He was filled with indignation, and promptly wrote a letter to the French commandant setting forth the claims of the English to the region and requiring the French to withdraw. This letter he entrusted to a young surveyor by the name of George Washington, who, though only twenty-one years of age, had been already made a major in the militia of Virginia and had given proof of the possession of qualities which were later to make him one of the most famous



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men of all time. The man who was chosen to act as his guide was Christopher Gist, and with them went Jacob Vanbraam and John Davison, the former to serve as an interpreter with the French,



Map of Pittsburgh, 1795

Engraved especially for this work from print in possession of Dr. W. J. Holland

and the latter as an interpreter with the Indians. In addition to the two interpreters, Washington and Gist took with them four servants, who were experienced frontiersmen. On the 22d

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of November they reached the cabin of John Frazier, on the Monongahela, at the mouth of Turtle creek. The next day they went on to Shannopin's Town and to the "Forks of the Ohio." Here Washington's quick eye caught at a glance the strategic importance of the spot, and on his return he reported to Governor Dinwiddie that this was the place at which to erect the fort, the construction of which was demanded by the charter of the Ohio Company. The following night was passed in camp at the foot of the eminence now known as Monument Hill in Allegheny. From this point they went to Logstown, an Indian village below what is to-day known as Sewickley. Here they secured four Indian guides, three of them chiefs, known as the Half-King, White Thunder, Jeskakake, the hunter, and Guyasutha.

The journey to Fort le Boeuf was full of hardships, and the return was full of perils. Once they were fired upon by an Indian, who luckily missed his aim, and, in attempting on a raft to cross the Allegheny at a point nearly opposite the present site of the Lucy Furnaces in Pittsburgh, Washington was thrown into the water, which was full of running ice, and narrowly escaped being drowned. This was on the night of December 28th, 1753. On January 1st, 1754, the party set out from Frazier's cabin at Turtle creek and fifteen days later reached Williamsburg, the capital of Virginia, and reported to Governor Dinwiddie the refusal of St. Pierre to withdraw the French forces from the headwaters of the Allegheny.

It was plain to the men of Virginia that the time had come for action. They endeavored to enlist the other colonies of the seaboard in an effort to restrain the French invasion, but met with little success. Governor Dinwiddie was not, however, the man to desist from effort because he could not quickly find allies. Without even waiting for the house of burgesses to vote supplies, he put two hundred of the militia into the field. Forty men under Captain William Trent, whose name is borne by the capital of New Jersey, were sent forward to the junction of the Allegheny

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and the Monongahela to build a fort, one hundred and thirty men were hurried after them under the command of Lieutenant-Colonel George Washington, while Colonel Joshua Fry brought up the rear with the rest of the regiment, which had been recruited to about three hundred men. The house of burgesses meanwhile voted ten thousand pounds for the defense of the colony.

While Washington was still at Will's creek and Fry had not advanced beyond Alexandria, on the 17th day of April, 1754, while both Captain Trent and his lieutenant, John Frazier of Turtle creek, were temporarily absent, the handful of men, who were engaged in building a fort at the forks of the Ohio, were surprised by an overwhelming force of French and Indians, who came upon them by way of the Allegheny river in a large fleet of canoes. They were commanded by De Contrecoeur. Ensign Ward, who was the only officer on the spot, sought to delay a surrender until he could communicate with his superiors, but the French commander brooked no delay whatever, and the unfortunate Virginian reluctantly withdrew with his men, and the French at once set about building a fort, to which, in honor of the governor-general of Canada, they gave the name of Duquesne.

On the 25th of April Ward reached the camp of Washington, on Will's creek, bearing the news of what had befallen his party. The plan for the advance was forthwith changed. Instead of going directly to the forks of the Ohio, Washington decided to cut his way through the forest to the mouth of Redstone creek. While thus engaged, on the evening of May 27th an Indian runner came to the commander with the information that a party of French soldiers were hidden in a ravine near by. Washington, accompanied by forty men, set out to investigate. When the Frenchmen flew to arms at his approach he gave the order to fire. Monsieur Jumonville, the officer in command, was killed, with nine of his men. The rest were taken prisoners, with a single exception. When on this memorable night Washington gave the command to "Fire!" says Bancroft, "that word of command

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kindled the world into a flame. It was the signal for the first great war of revolution. Here in the western forest began the battle which was to banish from the soil and neighborhood of our republic the institutions of the middle age and to inflict on them fatal wounds throughout the continent of Europe."

Realizing that he might certainly expect to be attacked in force by the French, Washington, upon whom the chief command now devolved, owing to the death of Colonel Fry at Will's creek, fell back to a bit of meadow land under the shadow of the Laurel Ridge, and here entrenched himself, calling the spot Fort Necessity. His anticipations were fully realized when, on the 3d of July, De Villiers, the brother of Jumonville, appeared with a force of nine hundred men, completely outnumbering the Virginians, though by this time Washington had gathered a force of nearly four hundred into his command. The battle lasted all day until night fell. The French fired from the cover of the woods and rising ground. The rain came down at times in torrents. In the dark the French sent a flag of truce and proposed a parley. The result was an agreement by which Washington was permitted to retire with the honors of war upon the condition that he would surrender his artillery and give hostages for the delivery in safety of the prisoners who had been taken in the affair with Jumonville. Captains Vanbraam and Stobo were chosen as the hostages. Their names are borne to-day by streets in Pittsburgh. Unfortunately the Virginian authorities refused to recognize the agreement made between the French commander and Lieutenant-Colonel Washington, and for weary years Vanbraam and Stobo were held as prisoners in Canada, though in the end the latter made his escape from captivity in a most romantic manner.

The news of the defeat of Washington carried dismay into Virginia, and the house of burgesses at once voted twenty thousand pounds to the governor for the defense of the frontier. The assembly of Pennsylvania, however, dominated by men who, while professing loyalty, refused altogether to act, disgraced



First Post Office at Pittsburgh

Reproduced for this work from a canvas in
possession of D. F. Henry

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itself in the eyes of the world by its supine indifference to the French invasion, and finally adjourned the session, which had been convened by Governor Hamilton, after voting five thousand pounds toward defraying the expenses of accommodating "the king's troops," should any ever be sent.

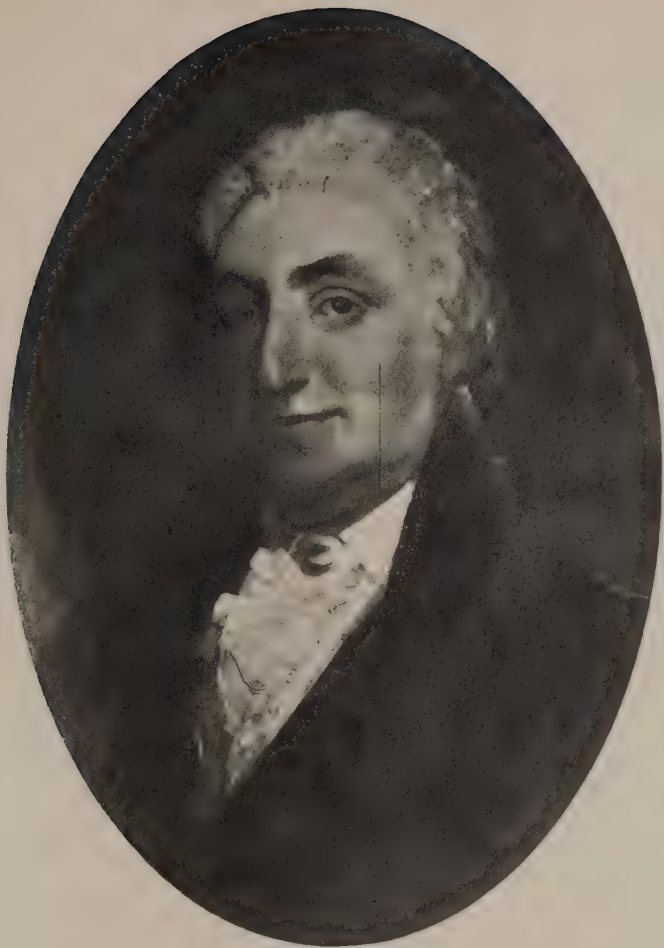
The English government realized the peril which threatened the colonies at the time better than the trade-loving Quakers and squabbling politicians of Philadelphia, and resolved to take steps to protect the frontier. Two regiments of regular infantry, the Forty-fourth, under Sir Peter Halket, and the Forty-eighth, under Colonel Thomas Dunbar, were sent to Virginia, there to be reinforced by colonial troops, and the command of the whole force was given to Major-General Edward Braddock. With the story of his memorable defeat every schoolboy is familiar. Where to-day the towering chimneys of great furnaces and the thickly planted houses of thousands of men cover the ground was enacted on the 9th day of June, 1755, a most tragic scene. The advance guard of the army of Braddock was practically annihilated, after a most gallant and stubborn defense. Sir Peter Halket was killed. Braddock was carried dying from the field. Washington alone was left to assume command, though he had had two horses wounded and one killed under him and had several bullet-holes through his clothes, one of them in his hat. Few prisoners were taken by the French and Indians. The wounded were killed and scalped on the field, and a dozen men who were able to walk were dragged to the fort and there burned alive on the banks of the Allegheny, a little above the point where it joins the Ohio. The broken remnant returned to the camp of Colonel Dunbar, where Washington buried the dead body of the commander. Dunbar was not made of the same stuff as Braddock, Halket, and Washington. The shameful manner in which he failed to even try to retrieve the defeat, or to protect the frontier, is a matter of common knowledge. As soon as he could, he made off with his regulars to Philadelphia. Placed in command of about twelve hundred

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men by the authorities of Virginia, the duty of defending the frontier devolved upon Washington. But the force was inadequate to the task. Meanwhile the politicians of Pennsylvania did nothing but squabble with the governor, who had asked them for help. The western borders of the settlements in Virginia and Pennsylvania were devastated by the savages. Hundreds of men, women, and children were butchered in cold blood. The Indians, growing bold upon meeting no organized resistance in Pennsylvania, carried their raids east of the Susquehanna, and to within two days' march of Philadelphia, where the assembly was sitting. At last this unenlightened body was compelled by popular indignation to act, and, upon the gift of five thousand pounds for the defense of the colony by the proprietaries, voted supplies, which enabled Governor Morris to take steps for the fortification of the borders. But two years, nevertheless, passed before anything really was accomplished to retrieve Braddock's defeat. The only bright spot in the story of these years is the brave advance of Colonel John Armstrong across the Alleghanies and through the wilderness from Huntington to Kittanning, where he succeeded in surprising and defeating the Indians, who had long made the spot a center from which to carry on raids against the eastern settlements.

In the year 1757 William Pitt became the prime minister of England. The advent of "the great commoner" to the head of affairs marked an immediate change. Effective steps to curb the aggressions of the enemies of Great Britain in every quarter were taken. One of the measures resolved upon was an expedition against the French at the forks of the Ohio. The command was given to Brigadier-General John Forbes.

After many delays the army, on Saturday, November 25th, 1758, halted amidst the smoking ruins of Fort Duquesne, which the French, though they had defeated the English and colonials under Major Grant only five weeks before, had incontinently deserted. The overwhelming numbers of Forbes led them to feel



Hugh Henry Brackenridge

Teacher; author; member State Legislature; justice State Supreme Court, 1799-1816. Photographed especially for this work from a painting in possession of H. M. Brackenridge



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that safety resided in flight, and down the Ohio some went to seek the French settlements on the Wabash, while others hurried up the Allegheny on the road to Canada. When the English and colonial army halted in the dusk of this memorable day the flag of Great Britain was raised by Colonel Armstrong, and at the suggestion of Washington, Forbes called the place Pittsburgh. "It is," says Bancroft, "the most enduring monument to William Pitt. America raised to his name statues that have been wrongfully broken, and granite piles, of which not one stone remains upon another; but long as the Monongahela and the Allegheny shall flow to form the Ohio, long as the English tongue shall be the language of freedom in the boundless valley which their waters traverse, his name shall stand inscribed on the gateway of the west."

With the fall of Fort Duquesne ended forever the occupation of the Ohio Valley by the French. No visible trace of their brief sojourn at the forks of the Ohio remains. The names of Duquesne, De Villiers, Joncaire, and Jumonville are borne by streets in the modern city. A solitary path led through the woods from the fort to an opening in the forest located where the First Presbyterian Church and Trinity Episcopalian Church stand to-day. Here the French chaplain buried those who died during the French occupation. The path leading to this resting place of their dead the Roman Catholic occupants of the fort named, after the custom of their mother-land "*l'allée de la Vierge*"—the Way of the Virgin—a name perpetuated in Virgin alley. Duquesne way and Virgin alley survive to remind the denizens of modern Pittsburgh that the lilies of France once bloomed over her soil. This is all.

The day after the occupation of the ruins of Fort Duquesne was Sunday. A thanksgiving service was held, at which the chaplain, Rev. Charles Beatty,¹ preached a sermon, the first Protestant

¹Rev. Charles Beatty was the grandfather of Steubenville, Ohio, who was during his lifetime a great benefactor of Washington

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service held upon the site of Pittsburgh. The work of erecting defences and winter quarters for the garrison, who were to occupy the spot, was at once undertaken. This fort, which was at best a rude structure, stood on the banks of the Monongahela a short distance east of the ruins of Fort Duquesne. It was not called Fort Pitt. This name was first applied to the second work of defense, which was begun in the summer of the year 1759 by General Stanwix, and greatly strengthened afterwards by Colonel Bouquet.

The encroachments of the white settlers upon the territory west of the mountains led to what is known as Pontiac's Conspiracy. Pontiac, an Ottawa chief, was a man of more than ordinary ability among his race. He has been called "the Napoleon of the red men." Secretly he brought about between the various tribes a coalition, having as its object the expulsion of the white man from the valley of the Mississippi and the region of the Great Lakes. When his plans had been matured, in 1763, the storm of war suddenly fell like a whirlwind upon the frontier posts. Everything was taken by the Indians except the forts at Detroit, Niagara, and Pittsburgh. Fort Pitt endured a memorable siege, the troops manning it being under the command of Captain Simon Ecuyer. The inhabitants of the village, which had grown up about the fort, had taken refuge within the walls and the houses surrounding the fort had been razed. The siege lasted in effect during the months of June, July and the first week of August, accompanied by several determined assaults, which were repulsed. The garrison and the refugees within the walls were reduced to the point of starvation when the siege was raised by the appearance of Colonel Bouquet at the head of a considerable force, accompanied by a train of three hundred and forty pack-horses carrying provisions for the half-starved people. Bouquet had not

and Jefferson College and of the Western Theological Seminary in Allegheny. His gifts to these institutions exceeded at the

time of his death those of any other individual.

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effected the relief of the beleaguered garrison without great peril. On the 5th of August, at Bushy Run, he had been attacked by a large body of Indians. The fight lasted all that day and the next, and it appeared as if the tragedy of Braddock's defeat was about to be re-enacted, when, by a happy ruse, the Indians were provoked to make a charge in a body, upon which they were adroitly



Second Edifice of the First Presbyterian Church, Pittsburgh, built 1804

Photographed especially for this work from a print in possession of Dr. W. J. Holland

flanked, surrounded, and terribly cut up. Bouquet lost one hundred and fifteen men. The battle of Bushy Run was the most stubborn battle ever fought on the soil of Pennsylvania with the Indians, and Bouquet's victory opened the doorway to the west more effectually than any event which had preceded it.

Upon his arrival at the fort Bouquet at once set himself to strengthening the defences. During the fall of 1763 and the spring of 1764 he labored at this work, and, among other things,

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erected the redoubt, or "block-house," which stands to-day the solitary surviving relic of that time. In the fall of 1764, with a large force, he pushed his way westward to the banks of the Muskingum river, and so awed the Indians by his show of power, and so conciliated them by his demeanor, that they consented to give up to him between two and three hundred whites, whom they had carried into captivity, and to negotiate a peace, which was in the main well kept for a number of years.

Pittsburgh naturally had become by this time a place of importance upon the border. Although the settlement of whites within the region was prohibited and those who took up holdings were at the time in western parlance "squatters," traders, hunters, and craftsmen, whose services were needed by the garrison, were continually coming and going, and a few built houses for themselves. To facilitate the orderly building of houses, Colonel John Campbell, in 1764, laid out a "plan of lots" covering the territory included between Water and Second and Market and Ferry streets. This survey was incorporated in those subsequently made, and is to-day referred to in all deeds covering the property in this small area. Of these old houses built about this time the last survivor was torn down in the summer of 1902. It stood at the corner of Water street and Chancery lane. It had been covered with weather-boards and so remodeled as to conceal from the passers by its true character as a log cabin.

For a few years after this the references to the place are comparatively infrequent in extant literature. The spot was visited by a number of persons of distinction, among them by no less a personage than Colonel George Washington, who, on a journey to what is now West Virginia, stopped in Pittsburgh both going and returning. His account of the place shows it to have been only a frontier hamlet of very small size.

In 1772 the royal authorities resolved to cease to hold Fort Pitt as a military outpost, and it was sold and the garrison withdrawn. Before the works had been entirely demolished by the

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purchasers they were seized by Dr. John Connolly, partly reconstructed, and called Fort Dunmore. This happened in the year 1774. Connolly was the tool and agent of the Earl of Dunmore, who, in 1772, had been appointed the governor of Virginia. Virginia, in virtue of the royal charters of 1607 and 1609, laid claim to the region as against the proprietaries of Pennsylvania. A controversy as to the boundary between the two colonies had long gone on, and the Earl of Dunmore resolved to assert what he conceived to be the right of Virginia to the region, by force, if necessary. The territory covering southwestern Pennsylvania as far north as Kittanning on the Allegheny river and the upper portion of what is now known as the State of West Virginia were designated by the Virginia authorities as the district, or county, of West Augusta. Dr. Connolly, as the agent of Dunmore, having seized the fort at Pittsburgh, as we have seen, issued a proclamation calling upon the inhabitants to recognize the authority of the governor of Virginia. Arthur St. Clair, who was the representative of the Penns. for answer had the redoubtable doctor arrested and jailed at Hannastown, the county seat of Westmoreland county, Pennsylvania, which at that time covered the whole of the disputed territory which lay within the boundaries of Pennsylvania. Connolly, however, soon gave bail, and then returned at the next term of court with a small army of one hundred and fifty men, arrested the justices, declared the court illegal, and packed off his prisoners to jail in Staunton, Virginia. Then followed a heated correspondence between the Penns and Governor Dunmore. Connolly meanwhile carried on affairs in western Pennsylvania to suit himself. A court was established at Fort Dunmore, or Pittsburgh, where Connolly had established himself, and so thoroughly did he succeed in brow-beating and harassing the people that the little town presently was nearly forsaken of its inhabitants. The few who remained seriously contemplated abandoning the spot and establishing themselves elsewhere. Affairs dragged along in this way until the outbreak of

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the Revolutionary war, when Dunmore betook himself to flight, and shortly afterwards Connolly was arrested for treasonable practices and kept a prisoner by order of the Continental Congress until 1780, when he left for Canada, where subsequently he lived and died. Though a Pennsylvanian by birth, and a nephew of George Croghan, one of the first settlers of Pittsburgh, whose name is held in high esteem in the community which in the early days he did much to defend, Dr. Connolly was a mischief-maker and an enemy of the community, by whom his memory is justly held in light esteem. The flight of Dunmore and the imprisonment of Connolly, the tory tyrant, did not, however, put an end to the boundary controversy between Virginia and Pennsylvania. Virginian courts continued to be held on the soil of Pennsylvania until 1780.¹ In that year the controversy was ended by the somewhat reluctant consent of Virginia to the ratification of the finding of a boundary commission, which had been formally approved by Pennsylvania the year before, and which gave to the latter Commonwealth the territorial definition which it has ever since held upon the map of the continent.

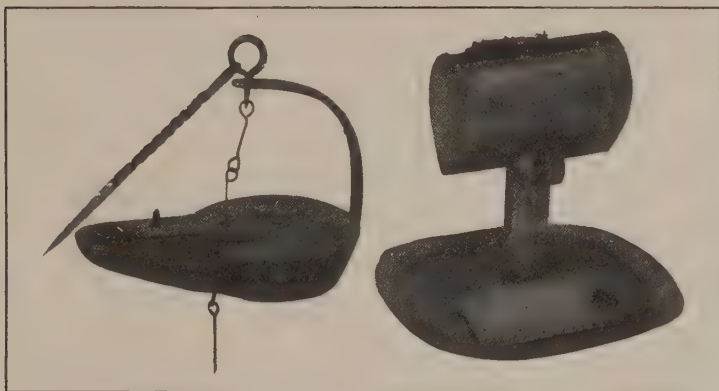
The stirring days of the American Revolution found the people of western Pennsylvania, though few in numbers, ready to do their part on behalf of the cause of liberty. As early as May, 1775, the people of Westmoreland county, which, under the administration of the Penns, covered the entire western portion of the State, held a meeting at Hannastown, the county seat, and in unequivocal terms declared their willingness and intention to resist by force of arms any attempt by the king of England to enforce the unjust acts of parliament which had recently been passed. A body of armed frontiersmen, commanded by Captain

¹The records of the court of the District of West Augusta held at Fort Dunmore have recently been published in the Annals of the Carnegie Museum. The District was divided in 1776 into the counties of Ohio, Monongalia, and Yohogania. Yohogania county covered southwestern Pennsylvania.

The courts of this county were sometimes held in Pittsburgh, more generally at various places in what is now Washington County, Pennsylvania. The records of Yohogania county will shortly be published in the Annals of the Carnegie Museum.

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Samuel Moorhead, was gathered, and at the outbreak of the struggle was stationed at Kittanning. Captain Neville arrived with a body of troops from Virginia and took possession of Fort Pitt. For a time there was quiet on the border, for not long before a treaty of peace had been made by Colonel Morgan with the Indians in the immediate neighborhood. The first alarm indicating that the English commandant at Detroit was suc-



Old Fashioned Oil Lamps in use in Pioneer Households

Photographed especially for this work from the originals in the Carnegie Museum, Pittsburgh

ceeding in his efforts to incite the Indians to take up arms against the settlers occurred in July, 1776, when Captain Fergus Moorhead, who had temporarily commanded the troop of militia at Kittanning during the illness of his brother Samuel, was attacked at Blanket Hill, his companion Simpson was killed, his horse was shot under him, and he was captured and marched through the forests to Quebec and given over as a prisoner to the British. From this time forward the scenes of the previous decade were repeated. The border was the theater of numerous massacres and bloody reprisals. Pittsburgh, though left in quiet,

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became the center from which operations were carried on against the British at Detroit and against the Indians on the Allegheny and the Ohio and its western affluents. The fort was held during the Revolutionary war in succession by Captain Neville, Generals Hand and McIntosh, and Colonel Daniel Brodhead. The latter was succeeded, in 1781, by Colonel Gibson, who shortly delivered over the command to General William Irvine. This year was made memorable by the ill-fated expedition of General George Rogers Clarke of Virginia against Detroit. One portion of his command, consisting of one hundred men, gathered in Westmoreland county and commanded by Colonel Lochry, was annihilated at the mouth of the Miami. In the following year Hannastown, the county seat, was attacked by the Indians and destroyed, though the stockade in which the settlers had taken refuge held out against their attack. A dark and dreadful deed was committed in this year by the exasperated men of the border. Unjustly considering that the Christian Indians who had been settled by the Moravian missionary, Heckewelder, at Gnadenhuetten, on the Tuscarawas, were harboring and aiding the hostile savages who were carrying on raids against the settlements, a company of eighty men set out from Washington county, Pa., for the mission. They found the Indians peaceably at work in their fields, assured them that they had come for the purpose of protecting them, induced the few who had arms to give them up, promising that they would on the morrow take them with them to Fort Pitt. The Indians were then assembled in the chapel, the doors were locked upon them and a guard set, and on the morrow their brains were dashed out with mallets and the chapel was burned over their dead bodies. The citizens of Ohio have erected a stately monument on the spot, but no monument can atone for the disgrace brought upon western Pennsylvania by this deed of cruelty.

Shortly afterwards it was resolved to organize an expedition against the Indians at Sandusky. Colonel David Williamson,

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who had headed the party from Washington county that had destroyed the Christian village in Ohio, strove for the command, but Colonel William Crawford was finally chosen to lead the expedition. As if in just retribution for the enormities perpetrated by some of the men under him at Gnadenhuetten, his troops met with miserable defeat, and the Indians burned Crawford at the stake.

These events took place just as the Revolutionary war was drawing to its close. Cornwallis surrendered his army in October, 1781, but border hostilities did not cease, nor was a formal treaty of peace concluded between the colonies and Great Britain until the third day of September, 1783. When the war ended and the armies of the colonies were disbanded, a number of the officers who had become acquainted with western Pennsylvania during their term of service upon the border elected to make Pittsburgh their home. They were men of influence and enterprise, and although the society of the little frontier settlement was rude and the community was full of rough frontiersmen, trappers, traders, and boatmen, the presence of these distinguished men imparted a touch of refinement to the early life of the settlement. Among those who remained and laid the foundations of fortune for themselves and their descendants in the region were General O'Hara, General Richard Butler, General Neville, Major Isaac Craig, and Colonel Stephen Bayard. There were at this time in Pittsburgh about one hundred houses, all of them built of logs and situated in immediate proximity to Fort Pitt, which, in spite of its occupation during the Revolutionary war, had been allowed to fall into a very dilapidated condition. The accounts of the place that have come down to us represent Pittsburgh as having been a sink of iniquity. The famous and oft-quoted description of Pittsburgh given by Arthur Lee of Virginia, who visited the spot in 1784, is worthy of being recalled. Lee says: "Pittsburgh is inhabited almost entirely by Scots and Irish, who live in paltry log houses and are as dirty as in the north of Ire-

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land, or even in Scotland. There is a great deal of small trade carried on, the goods being brought at the vast expense of forty shillings per hundredweight from Philadelphia and Baltimore. They take in the shops money, wheat, flour, and skins. There are in the town four attorneys, two doctors, and not a priest of any persuasion, nor church nor chapel, so that they are likely to be damned without the benefit of clergy."

The four attorneys mentioned by Arthur Lee no doubt included Hugh Henry Brackenridge, who came to Pittsburgh in 1781. He was a graduate of the College of New Jersey, at Princeton, having been a classmate there of James Madison and others who became distinguished leaders in their day. Brackenridge was a man of literary taste and culture, whose romance, entitled "Modern Chivalry," is still remembered as one of the better works produced in the infant period of American literature. He did not share the views of Arthur Lee, but his sanguine soul foresaw in the rude collection of log cabins nestling between the rivers the kernel from which would develop in time a mighty municipality, as the oak is developed from the acorn. Right bravely and assiduously he labored with others to bring about the realization of his dreams. The early columns of the Pittsburgh Gazette, which began to be published in the latter part of July, 1786, as a weekly journal, was seized upon by Brackenridge as a happy vehicle for the communication of his thoughts to his fellow men, and, having been elected to represent the district in the legislature of Pennsylvania, he used the columns of the paper as a medium in which to acquaint his fellow citizens with his hopes and anticipations. He was the author of a series of essays, entitled, "Observations on the Country at the Head of the Ohio River," which ran through a number of issues in the Gazette. In these he contended earnestly for the removal of the county seat from Hannastown to Pittsburgh, for the establishment of the institutions of religion, and for the foundation of a school. Subsequently, in 1787, when representing the district in the legisla-

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ture of Pennsylvania, he brought about the passage of an act incorporating a school called "The Pittsburgh Academy," which was the first school legally chartered in the whole region from the crest of the Alleghanies to the Pacific, and which still survives the vicissitudes of time as the Western University of Pennsylvania. In the fall of the same year he secured the passage of an act incorporating the Presbyterian Congregation of the town of Pittsburgh. Among its trustees is named its pastor, the Rev. Samuel Barr, who first came to Pittsburgh in 1785, atoning by his coming for the lack of clergymen noted by Arthur Lee in the previous year. Mr. Barr was a public-spirited man and a protégé of the versatile and very worldly author of "Modern Chivalry." This fact probably caused the clergy, a handful of whom had organized the Presbytery of Redstone, to hesitate to install the Rev. Mr. Barr over the infant congregation. Their scruples were, however, happily overcome, though at that time and for some years subsequently Pittsburgh was not regarded by the saints who dwelt on the Catfish, at Upper Buffalo, and Ten-Mile Creek, as furnishing favorable soil, in which to plant the seeds either of scholarship or religion. Godliness kept to the hills in those early days, and it was said that the Presbyterian preachers were afraid to come to Pittsburgh, lest they should be reviled and persecuted. There were, however, some noble men belonging to the ranks of the ministry already laboring in the valley of the Monongahela. They organized frontier churches, they established schools, and the fruits of their labors proved in the end to be a harvest of good, in which not



Joseph Stockton

Author of *The Western Calculator*, first text book published west of the Alleghany mountains; principal of the Pittsburgh Academy when it was re-incorporated as The Western University of Pennsylvania. By courtesy of Dr. W. J. Holland

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merely the immediate neighborhood, but the nation and the world at large have shared.

The Revolution terminated the relations which the descendants of Penn held to the colony as proprietors. The Commonwealth of Pennsylvania, in 1779, while declaring that the Penns, as partisans of the crown, had forfeited their claims, nevertheless agreed to pay them the sum of one hundred and thirty thousand pounds sterling and to allow them to retain in their possession certain tracts of land, which had been laid out from time to time, and to which they had given the name of "manors." There were forty-four of these manors, each of which comprised several thousand acres. In the aggregate the manors contained 421,015 acres. One of these manors was the "Manor of Pittsburgh," which had been surveyed on the 19th of May, 1769. The survey covered 5766 acres, with an allowance of six per cent. for roads. It included the territory between the Allegheny and the Monongahela as far east as Two-Mile Run (Soho), and covered a portion of the territory on the banks of the Monongahela on the south side of that river. In 1783 the lines of this manor were resurveyed by George Woods, and in the following year he laid out the town of Pittsburgh, incorporating in his survey the plan of military lots which had been surveyed by Campbell. In this survey five lots were reserved and set apart for houses of worship and places of burial. The first house of worship erected on these lots was a building of squared timber which stood on the spot where to-day stands the First Presbyterian Church, at the corner of Wood street and Virgin alley. Here, where the French garrison had buried their dead, the red men, long before their day, had also buried their dead, and one of the ancient Indian mounds, of which the valley of the Ohio is full, occupied the ground where to-day stands Trinity Episcopal Church. Another occupied the top of the hill where the Allegheny County Court House stands.

The laying out of the town of Pittsburgh was presently followed by an increase in the population, which was stimulated

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when the general government, in the year 1787, took over what was known as the Northwest Territory, out of which have been carved the great States lying between the Ohio and the Mississippi. The waves of migration from the east to the west began to flow toward this region, the fame of which had spread along the seaboard. Pittsburgh became the focal point toward which the feet of those essaying to enter the west tended. The village which numbered, in 1785, about five hundred souls, grew, until in 1790, five years afterwards, the population had nearly doubled.

Allegheny county was formed by acts of assembly, passed on September 24, 1788, and September 17th, 1789, out of Westmoreland county, and a narrow strip along the Monongahela taken from Washington county, which had been, in 1781, erected out of Westmoreland. Subsequently all the territory north of the Ohio and west of the Allegheny river was added to the county. This area, more than twice the size of the kingdom of Holland, was subsequently (on March 12, 1800,) subdivided, and eight new counties were formed, though courts were not at once established in all of them. The counties taken from Allegheny by this act are the following: Armstrong, Beaver, Butler, Crawford, Erie, Lawrence, Mercer, Warren, and Venango. The county seat was located at Pittsburgh. The entire population of the county included within its extreme limits was, in 1790, ten thousand and three hundred and nine persons. Small towns had already begun to spring up through the region, and in the last decade of the eighteenth century their growth, though slow, was considerable. Brownsville, in Fayette county, which was set off from Westmoreland in 1783, being at the head of navigation on the Monongahela, affected at the time to rival Pittsburgh as a place of commercial importance. Elizabeth, McKeesport, Robb's Town, later known as West Newton, and Alleghenytown, opposite Pittsburgh, begin to be heard of about this time. Canonsburg and Washington, the county seat of the county of the same name, had been already located and contained a few houses. Beaver had already

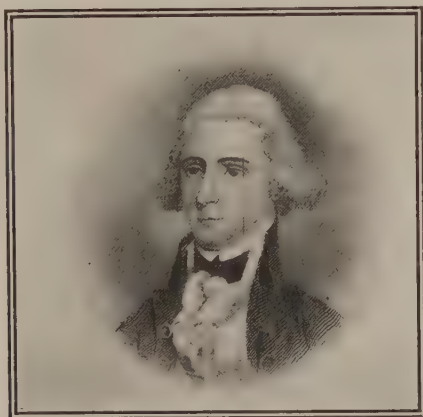
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for several years been a place of importance as the site of Fort McIntosh, which, with Fort Pitt, served as a base for operations against the English at Detroit and their Indian allies in the western portion of what is now the State of Ohio.

Whatever small rivalries may have existed in these early days were of little avail against the natural resources of the location, and the town at the junction of the Allegheny and Monongahela continued to grow. Manufacturing was commenced at a very early date, but on an extremely small scale. The establishments in existence were nothing more than small shops, in which light hardware and articles of household use were made. The presence of a vast supply of mineral fuel in the region was known at a very early date. In the map of Fort Pitt, made by the engineer in charge of the works in 1763, the original of which is preserved in the King's Library of the British Museum, and a copy of which may be consulted at the Carnegie Museum, there is shown on the south bank of the Monongahela, at a point nearly opposite the fort, the opening of a "coal mine." In 1766 Rev. Charles Beatty records, upon the occasion of a visit he paid to the spot, that the garrison of the fort was supplied with fuel from this mine. This was in all probability the first bituminous coal mine opened in the region, and it was situated in Pittsburgh as originally laid out by the surveyor. Other mines in the immediate vicinity were presently opened, and in 1789 the smoky atmosphere of the town became the subject of comment on the part of Major Samuel Forman, who visited the place. The title of "The Smoky City" may be to-day fairly shared with Pittsburgh by other great communities in the Mississippi basin which depend upon supplies of bituminous coal for fuel, but Pittsburgh has been from its very infancy a center of smoke. Little of the smoke arising in the early days of which we are speaking was due to the manufacture of iron. Aside from some small manufacturing of hardware, such as kitchen utensils, locks, bolts, hinges, and cutlery, there was nothing produced at this time to give more than a faint adumbration of

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the greatness to which the place was destined to rise as the center of the iron-working industry of the world. The first furnace for the production of iron in western Pennsylvania was erected by a Pittsburgh firm (Turnbull, Marmie, & Co.) on Jacob's creek, in Fayette county, a little above the point where that stream enters



V. Denny

First mayor of Pittsburgh, 1816. Photographed especially for this work from an engraving in possession of Dr. W. J. Holland

the Youghiogeny. The name of the establishment was the Alliance Iron Works. It was operated more or less irregularly for twelve years from 1790. Here were cast a portion of the cannon balls which were carried by General Anthony Wayne with him on his famous expedition against the western Indians. These cannon balls were the first contributions made by a Pittsburgh firm to the national munitions of war. They were, like the scythes

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and hatchets made in Pittsburgh at the time, only a faint hint of what the mighty industrial development of a later day was destined to produce. All the iron consumed here prior to the venture of Turnbull & Marmie had been brought over the mountains on pack-horses. The first furnace for the manufacture of pig-iron within the limits of the present city of Pittsburgh was built in 1792 by George Anshutz at a point about four hundred feet southeast of the present site of the Shadyside station of the Pennsylvania Railroad. It was supposed that the deposit of red shale to be seen to-day at the cutting in the railroad was rich enough in iron to permit of the operation of the establishment, but this was found not to be the case, and, after being operated for two years in an unremunerative way with ore brought from a distance, it was abandoned in 1794, though its enterprising owner long continued to be one of the best known producers and manufacturers of ironware in the city for more than forty years afterwards. The furnaces at Jacob's Creek and at Shadyside were charcoal furnaces. The possibility of converting the Pittsburgh coal into coke and employing it in the manufacture of pig metal was not realized until so recently as 1859, and then first was laid the foundation of the supremacy of the Pittsburgh district as a center for the production of iron and steel. The principal industry of the town at the close of the eighteenth century was boat-building. The abundant supply of timber on the banks of the streams, and the needs of the westward migrating population, made the business profitable. The boats built were flat-boats and keel-boats, which were principally carried by the current and guided by long sweeps. They served for a downward voyage, but never returned. After their cargoes had been sold and their passengers landed, they were sold as lumber at lower river ports, while those who had gone with them and desired to return, came back in lighter row-boats, on foot, or by horse. A long procession of these "Kentucky boats," as they were styled, was swallowed up by the great river flowing west and south. The building of these craft paved the

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way for the building of sea-going vessels and steamboats at a later date.

But while the people of the little settlement were fashioning scythes for the farmers and axes for the woodmen, and were industriously buying and selling, savage scenes were being enacted not far off. The Indians, driven from the hunting grounds which they and their fathers before them had possessed, beholding with every day the nearer and nearer approach of the stream of white immigration, endeavored to stay it after their barbarous fashion. It was the old way of the tomahawk. The life of no white man was safe on the frontier. At last Congress determined to put an end, if possible, to the troubles of the settlers, and General Arthur St. Clair, who was the governor of the Northwest Territory, was placed, in 1791, at the head of an army of between two and three thousand men, many of whom had been recruited in western Pennsylvania. The second in command was the most distinguished citizen of Pittsburgh at that time, General Richard Butler. But the fate of war was against the expedition, as it had been against the earlier expedition led by Crawford. The army of St. Clair was surprised, half its number killed in battle, among the number General Butler, and the old story of Indian atrocities had many a chapter added to it in consequence. The defeat of St. Clair, which was due to no lack of gallantry on his part, brought sorrow to hundreds of the homes of western Pennsylvania. It led to the erection of Fort Lafayette, or Fort Fayette, as it was popularly called, on the banks of the Allegheny, near Ninth street. This was a formidable work which took the place of Fort Pitt, which had been sold and abandoned, and it became for a number of years the base of the military movements which were carried on by the government against the Indians. "Garrison alley" survives in the nomenclature of city streets and lanes as a silent monitor of the location of this old-time fortification and government depot, which was in use until 1814, when it was abandoned for the better quarters of the Allegheny Arsenal.

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St. Clair's defeat led to the famous expedition of General Anthony Wayne. He arrived in Pittsburgh in June, 1792, and spent the time until the spring of the following year in gathering a force and drilling his men. In the fall of 1793 he went into winter quarters on the site of the present town of Greenville, Ohio. Not until late in August, 1794, did he deliver the fatal blow on the banks of the Maumee which broke forever the power of the Indian tribes in the vast region lying east of the Mississippi and north of the Ohio. "Mad Anthony" he was called, but there was a splendid method in his madness, and, when he marched his men back to their homes in Pennsylvania, Virginia, and Kentucky the way was clear for the States of Ohio, Indiana, Illinois, Michigan, and Wisconsin to rise into the great family of American Commonwealths.

But while Anthony Wayne was leading his troops against the Indians on the Maumee the people who had stayed at home and those of Pittsburgh and its immediate vicinity did not lack their peculiar excitements. A miniature rebellion against the general government, which threatened at one time to lead to very serious consequences, and was not unattended by acts of violence, was hatched in the neighborhood. The farmers of the Monongahela Valley grew then, as they still continue to do, a great deal of rye. But to get this rye to profitable markets was impossible. They found, however, that by turning rye into whiskey they could get their crop into market quite readily and make a small profit. So they began everywhere to distil the grain. In 1791 the general government laid a tax upon whisky and set about collecting it. This bore heavily upon the farmers of the region. At first they remonstrated, and were encouraged in so doing by some of the best and most influential men of the neighborhood—Albert Gallatin, Hugh Henry Brackenridge, General Gibson, and others. But when remonstrances failed, the people, inflamed by a sense of wrong and incendiary addresses, resolved upon a sturdier resistance. There were great gatherings of men carrying arms. Gen-

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eral Neville's barn and house near the present town of Bridgeville, south of Pittsburgh, were burned, because he was the chief excise officer of the county. Several lives were lost in riotous gatherings, the mails were stopped and rifled, and good men were perse-



Henry Baldwin

Member of Congress, 1817-1822; appointed associate justice United States Supreme Court, 1830. Photographed especially for this work from the original in possession of the Western University of Pennsylvania

cuted and intimidated. Things finally came to such a pass that President Washington felt himself constrained to march an army under General Lee over the mountains into the Monongahela Valley and to Pittsburgh. There were fifteen thousand men in the force which was called out. The coming of the army set the

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malcontents to thinking, and the result was a scattering to their homes of those, who had but shortly before been most violent in their threats against the government. It all looks now, at a distance, like a very insignificant affair, but it was the first occasion upon which the government of the United States had been called upon to assert its sovereignty over the people of any section of the country, and the bold and determined stand taken by President Washington had a most salutary effect, not only in western Pennsylvania, but wherever the stars and stripes at that time waved upon the continent. The affair cost the nation about a million of dollars, which was at that time a heavy sum to draw from the national treasury.

Pittsburgh continued to grow. On April 22, 1794, it was incorporated as a borough, and in May following George Robinson was chosen as chief burgess and Josiah Tannehill as burgess. The government was not unlike that of a New England town, and in legislating at this period the citizens met with the burgesses in council and enacted their ordinances and selected the minor officers. The charter of 1794 remained in force until 1804, when it was repealed and a new charter was granted, which, in turn, remained in force until the incorporation of Pittsburgh as a city in 1816.

The beginning of the manufacture of glass at Pittsburgh took place in 1797, when General James O'Hara and Major Isaac Craig established a factory for making window glass. The necessity for protecting the banks of the rivers against floods led to the commencement, in 1798, of the building of the levees along the Allegheny and the Monongahela. The first money secured for this purpose was raised by a lottery. It was the custom of the time to resort to lotteries for the promotion of almost all kinds of public enterprises. The first church edifices in the place were, in fact, erected in part from the proceeds of the sale of lottery tickets. At this time the streets were not paved, and board walks were almost unknown. Mud was everywhere. Log houses were still

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in the majority, though about fifty houses of brick had been built and two brick kilns were in constant operation. The town was confined to the triangular territory lying between the two rivers and Smithfield street, which lay at the foot of Grant's Hill, which was much higher than it is to-day, successive gradings having lowered it in places over forty feet. Between Smithfield street and the hill lying at its foot was Hogg's Pond, on which in the winter the youths of the village skated. The pond covered an elongated oval area extending from near the intersection of Fourth avenue and Smithfield street to the neighborhood of Cherry alley and Seventh avenue.

The population of the place in 1800 was one thousand five hundred and sixty-five souls. There were four churches, the First Presbyterian on Wood street, without a pastor, the German Church on Smithfield street, the Episcopal Church, at the intersection of Wood and Liberty streets, which was struggling hard amidst difficulties, and the Reformed Presbyterian Church, just organized, and of which the Rev. John Black was the pastor. The Methodist Church was represented by an organization which at the time was worshipping in the disused barracks of old Fort Pitt. The only school of importance in the place was the Pittsburgh Academy, the building of which stood on the corner of Cherry alley and Fourth street, upon ground donated for its use by the Penns. Neither learning nor piety appears at this date to have been in a singularly flourishing condition in the town. The aristocracy of the village at the close of the eighteenth century comprised a score or more of families representing the original military settlement at the close of the Revolutionary war. Nobody was wealthy in anything but hope and land warrants. The whole of the territory now comprised within the cities of Pittsburgh and Allegheny might have been bought at that time for a sum far less than is annually expended in maintaining his household by many a Pittsburgh millionaire of the present generation. The entire borough tax levied in the year 1800 was \$604.88, of which

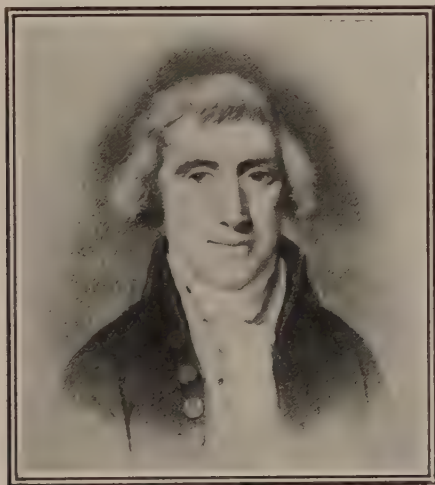
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\$512 were collected by the end of the year. For the year 1802 a borough tax of \$497.96 was levied, of which in December of that year only \$170 had been collected. The tax levy of Allegheny county, which, as we have already seen, covered at that time a vastly larger area than to-day, appears in comparison with the levies of the present time almost ridiculous. The revenues were largely drawn upon to pay the bounty for wolves' scalps. In the year 1799 it is recorded that \$640.30 were expended on this account. In 1800 the county treasurer was robbed of all the cash in his possession, amounting to the sum of thirteen hundred dollars. The money was fortunately recovered. Such was Pittsburgh one hundred years ago.

The dawn of the nineteenth century found the movement of western migration well under way. The invasion of the hordes of the north, who descended upon the Roman Empire, sinks into insignificance as a great movement of human population, when compared with the migration into the New World, which characterized the century, which has just ended. Nothing like it has ever before occurred in the annals of the human race. The advance of the Caucasian flood had passed the crests of the Alleghanies and Pittsburgh became the center from which the westward pilgrimages poured. The mountains to the east, once crossed, proved a formidable barrier over which to return by those who were bent on errands of commerce. Not so the water ways smoothly flowing to the southwest and joining the mighty flood of the Mississippi. Trade naturally took the easier course, and Pittsburgh felt that nothing should be allowed to interfere with her trade with the southwest. Her traffic with New Orleans, even at this early day, was considerable. When, in 1803, the Spanish Intendant at New Orleans closed the port against the traders of the upper country an intense excitement was engendered. Meetings were held, the President and Congress were memorialized, and it was even intimated, that, unless the general government took prompt steps to avert impending ruin, the people of the west

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might take steps which would impair the harmony of the Union. Whether these veiled threats had weight or not, the purchase of Louisiana was very shortly thereafter consummated, and the way was at once clear for the trade of Pittsburgh with the southwest to be resumed and increased. It began to grow by leaps and



James O'Hara

Incorporator Pittsburgh Academy. Photographed especially for this work from a drawing in possession of Miss Matilda Denny

bounds. Flour, lumber, whisky, pork, iron-ware made from iron produced in the valley of the Juniata and later in the charcoal furnaces of western Pennsylvania, and large quantities of salt shipped from the upper Allegheny were dispatched to lower river ports during the first decade of the century. From the South came sugar, hemp, and cotton. In 1803 the famous expedition of Lewis & Clarke to the Pacific was organized and took its departure from Pittsburgh. The traffic of the place was increased rather

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than diminished by the war of 1812. From Pittsburgh came much of the material which entered into the construction of the fleet on Lake Erie, and from a Pittsburgh foundry came the cannon balls which were used by Perry in his memorable battle, and those which were fired by Jackson at New Orleans. The building of boats and even of ocean-going craft had by this time risen to considerable proportions in the town. At Elizabeth the Monongahela Company, in March, 1801, launched a brigantine which was loaded with flour and taken to New Orleans. It was followed in May by the schooner "Monongahela Farmer," which took a cargo of 750 barrels of flour to the same place. The pioneers in ship-building in Pittsburgh were the Messrs. Tarascon Brothers, and James Berthoud & Co. Their first venture was the launch, in December, 1802, of the schooner *Amity*, of 100 tons, quickly followed by the ship Pittsburgh, of 270 tons, and the ship Louisiana, of 300 tons burthen. The Pittsburgh cleared from Pittsburgh for Lisbon, and the Louisiana took a cargo from the mouth of the Cumberland river to Liverpool. The *Amity* took a cargo of flour from Pittsburgh to St. Thomas, in the West Indies. The business of building ocean-going craft of a size regarded as considerable at that day continued to flourish. The brig "Ann Jane," launched at Pittsburgh, was long run between New Orleans and New York, and was regarded as one of the fastest vessels at that time on the seas. In 1811 the business of ship-building was augmented by the opening of a yard for the erection of steamboats. The firm was that of Fulton, Livingston, & Roosevelt. Their first boat, the "New Orleans," which was also the first steamboat built upon the western rivers, was one hundred and thirty-eight feet on the keel, with twenty feet beam. She cost \$38,000. Launched in March, she was later taken down the Ohio and put into commission between New Orleans and Natchez, where she rapidly made money for her owners, until, in 1814, she was unfortunately lost on a snag near Baton Rouge. The New Orleans was quickly followed by other boats, and a number of firms embarked in the enterprise

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of steamboat building. The establishment of this industry did not a little to build up the commerce of the place, and it has continued to flourish to a greater or less extent even to the present day. The year 1857 marked the highest point in the construction of large boats. In that year one hundred and forty-one steamboats were launched in Pittsburgh and its immediate vicinity. The records show that nearly four thousand ocean-going vessels and river steamboats have been built in Pittsburgh since the Messrs. Tarascon made their first venture, and Pittsburgh boats to-day ply on the waters of the Volga and the Don, the Amazon, the Orinoco, and the Rio Magdalena.

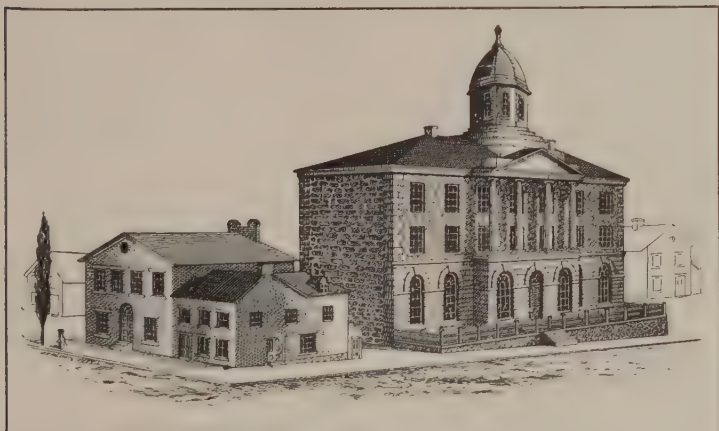
While the people of Pittsburgh were with great spirit endeavoring to build up their trade with the West and the Southwest, they were much harassed by the difficulties which attended the development of their communication with the East. When Brad-dock and Forbes cut their way across the mountains, the one from Cumberland, Maryland, the other from Bedford, Pennsylvania, they opened paths which served the packmen for the transportation of goods. The first wagon from the East was driven into Pittsburgh by Conrad Hawk, a teamster with the army of General Forbes. But for many years after that trains of pack-horses were more frequently used for conveyance than wheeled vehicles. The most important economic subject which engaged the attention of the people of western Pennsylvania from 1800 to 1820 was the betterment of the roads leading to the older and more thickly settled country. Postal service from Philadelphia and from Virginia to Pittsburgh by way of Bedford had been established in 1786. The mail continued from that date to 1789 to be carried on horse-back. In the years following various schemes for improving internal communication were broached. The result was, so far as Pittsburgh was concerned, the construction of a turnpike road from Harrisburg to Pittsburgh by way of Chambersburg, Bedford, Somerset and Greensburg, which was completed in 1820, though the mail had been carried by coach over the line since 1805.

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The old "Bedford pike," as it was called, became the main artery of travel between the East and the West. The Conestoga wagon and the mail coach thereafter for thirty years continued to play a prominent part as means of transportation. A reasonably good road capable of being used for the conveyance of passengers and goods from Philadelphia to Pittsburgh having been provided, there immediately arose a great demand for the construction of roads south, west, and north from the city, for in 1816 Pittsburgh, having outgrown its boroughhood, was incorporated as a city. The development of towns and villages throughout western Pennsylvania and the State of Ohio, and the rapid settlement of a large agricultural population in the territory, made it necessary to provide means of communication with the metropolis of the region. The farmer and the merchant demanded access to the market at the head of river navigation, and the tide of westward travel continued to increase in volume with each succeeding year. The construction under the authority of the general government of the great national turnpike along a route lying south of Pittsburgh was viewed with scarcely approbatory feeling by the merchants of Pittsburgh. It tended to divert travel to other points. In order to connect with this important highway a turnpike from Pittsburgh to the village of Washington, Pa., was undertaken. A road to Steubenville was built. The Pittsburgh and Butler turnpike was projected in 1819. The legislature was flooded with bills calling for the construction of roads in every direction. Meanwhile the fact that the national turnpike, built at government expense at a cost of nearly two millions of dollars, was being operated free from tolls, and the further fact that the State of New York, under the wise leadership of De Witt Clinton, had undertaken the construction of a system of waterways to connect the Hudson with the Great Lakes began to fill the people of the State of Pennsylvania with alarm. They saw, that, unless something were quickly done, their growing trade with the western country would be diverted from them, and that New York and Baltimore

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would presently monopolize the business, which had been built up by Philadelphia and Pittsburgh. The agitation which arose at this time led finally to the construction and completion of the Pennsylvania Canal. If the people of Pittsburgh could have had their way the canal would have been built and finished ten years before it was. The student who has taken the trouble to read the



First Pittsburgh Academy

On the left, with the Principal's house adjacent; the Western University of Pennsylvania on the right, 1831. By courtesy of Dr. W. J. Holland

newspapers published at that time cannot fail to be impressed with the great fear, which had taken possession of the people, that, unless better transportation between the Ohio Valley and the Delaware were quickly provided, the trade of the city would be ruined.

While the momentous question of means of communication with the East was consuming much of the thought of the people of western Pennsylvania, the student does not fail to discover that a great change had taken place in other respects. When we look at the city of Pittsburgh, as it appears in the light of contemporary

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narrative at the time of which we speak, we find, that, instead of being the center of a more or less restless population full of lawless impulses, as was the village, which had originally sprung up about Fort Pitt, it had become a community permeated by the spirit of order and filled with deep religious convictions. The character of the population, in which Scotch and Scotch-Irish blood predominated, may account in part for this fact, for the Scotchman since the days of John Knox has found his highest interest in matters of religion. But a more potent influence than the mere religious predisposition of the people is to be found in the labors of the clergymen of the region and the succession of great spiritual awakenings, which, beginning under the preaching of John McMillan, James Powers, Thaddeus Dodd, and Joseph Smith in 1787, and renewed in the years from 1799 to 1802, culminated in a movement spreading to the Carolinas in the south and to Kentucky and Tennessee in the West. This "great awakening" left an indelible impression upon the whole western country, and while Pittsburgh was not immediately the scene of any of the remarkable occurrences, the story of which has come down to our day, it necessarily felt in the life of its people the influence of the great revival of interest in religious things, which had taken place throughout the country of which it was the commercial and industrial center. In the spring of 1802 the general assembly of the Presbyterian Church created the Synod of Pittsburgh, which convened in Pittsburgh on September 29th of that year, the first of the long series of ecclesiastical gatherings which have been held on the spot. It met in the First Presbyterian Church, which had been erected of "squared timber" in 1786, and was the only church edifice in Pittsburgh at the time. This structure was followed by a brick church, completed in 1805, largely through the efforts of John Wilkins. The advent of Francis Herron, who became the pastor of the First Presbyterian Church in the year 1811, was not the least important fact in shaping the character of the growing community. He set the impress of his noble, manly character upon the lives of many,

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and it is no surprise to learn, that, as the result of the untiring and splendid labors performed by him and his worthy associates in the Christian ministry of many denominations in later years, the place which Arthur Lee characterized as utterly godless, came in the year 1840, to be known as "the city of churches," a title later transferred to Baltimore, and, during the civil war, given to Brooklyn. It was just as Pittsburgh became a city that the full power of the magnetic and splendid character of Dr. Herron began to make itself most deeply felt. Closely associated with him in his labors on behalf of religion, morality, and true learning was Elisha P. Swift, for many years the pastor of the Second Presbyterian Church in Pittsburgh, and then of the First Presbyterian Church in Allegheny.

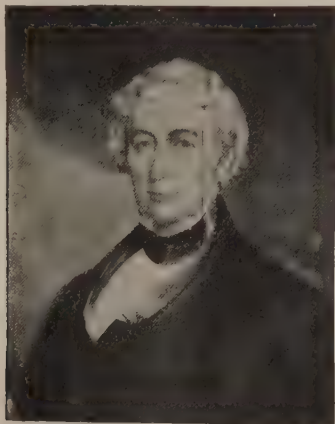
Contemporary with the awakening of the religious life of the community was the awakening of interest in education. The men who had gathered the frontier farmers of western Pennsylvania about them in the camp-meetings of the wilderness and had organized them into churches realized the necessity for establishing schools. John McMillan and his associates were graduates of the College of New Jersey at Princeton. They were men of learning as well as of piety and indomitable courage. Through their labors were founded Jefferson College at Canonsburg, in 1802, and Washington College at Washington, Pennsylvania, in 1806. The growth of Pittsburgh suggested to the intelligent leaders of the community that the time had come when the Academy, which was flourishing under the care of the Rev. Joseph Stockton, the author of "The Western Calculator" and "The Western Spelling Book," should be transformed into an institution of higher learning. Steps were accordingly taken which resulted in the reincorporation of the institution in February, 1819, as the Western University of Pennsylvania. The first board of trustees was composed of men most of whom bore a distinguished part in public life. James Allison, whose name appears first upon the list, was one of the organizers of the Beaver County Bar and twice elected a member

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of congress. Judge Henry Baldwin was one of the most noted jurists of western Pennsylvania and a justice of the Supreme Court of the United States. Abner Barker was a leading merchant. John Darragh was a prominent lawyer. Major Ebenezer Denny had taken part in the expeditions of Harmar and St. Clair, had rendered service in the war of 1812, and in 1816 had been elected the first mayor of Pittsburgh. Hon. Walter Forward was twice a member of congress, became first controller of the treasury under Harrison, secretary of the treasury under Tyler, and minister of the United States to Denmark under Taylor. The Rev. Francis Herron was a leader in every good work. Peter Mowry was a physician and public-spirited citizen. Samuel Roberts was an ornament to the bench of the county, having, in 1803, succeeded Judge Addison, the first law judge commissioned in the county. William Robinson, Jr., was one of the leading citizens and one of the largest landholders in the region. His home was in Allegheny. John Scull was the founder of the "Pittsburgh Gazette." John M. Snowden had established the "Farmer's Register" in Greensburg in 1798, removed to Pittsburgh in 1811, where he published the "Commonwealth" and later the "Mercury," and was subsequently at various times the mayor of the city. William Wilkins in the following year was made a judge of the Fifth district, subsequently became judge of the District Court of the United States, was elected to the Senate of the United States in 1831, was made minister to Russia in 1834, and was secretary of war under President Tyler from 1844 to 1845. George Evans, John Gilmore, Robert Moore, John McPherrin, Morgan Neville, John Poe, Jr., J. Postlethwaite, John Reed, Dr. George Stevenson and John Young were all men of eminent ability and high social position in the western half of the Commonwealth. But pre-eminent in this body of able men were Rev. Dr. John Black, the pastor of the First Reformed Presbyterian Church, and Rev. Dr. Robert Bruce, the pastor of the First Associate Presbyterian Church, now known as the First United Presbyterian Church of Pittsburgh.

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Both were graduates of the University of Glasgow, and both became members of the faculty, Dr. Bruce holding the position of principal of the university from 1822 to 1835. Associated with these two eminent men in the first faculty was the Rev. C. B. Maguire, who succeeded the Rev. F. X. O'Brien, the first Roman Catholic priest permanently located in the city. "Priest Maguire,"



Robert Bruce

Eminent clergyman and educator; first principal of the Western University of Pennsylvania, 1822-1834. Photographed especially for this work from portrait by Lambdin in possession of Western University of Pennsylvania

as he was known, was the founder of the church now known as St. Paul's Cathedral, a man of great learning and ready wit. Dr. Swift, one of the founders of the Board of Home Missions and of the Board of Foreign Missions of the Presbyterian Church, both of which great organizations had their inception in Pittsburgh, was also a member of the faculty, as was the Rev. Joseph McElroy, who, afterwards removing to New York City, was for well nigh half a century the pastor of the Scotch Presbyterian

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Church in the metropolis. The Western University of Pennsylvania passed through many and great vicissitudes, but still exists to-day a monument to the prescience of its founders, if not of the liberality of the community in which it has for so many years been accomplishing most important and useful labors.

The growth of the place in population from the beginning of the century to the close of its second decade was relatively rapid. The census of 1800 showed a total population of 1,565, the census of 1820 showed a population of 7,248. But while, relatively, these years mark the greatest percentage of increase for a given period, they are not to be compared with later years toward the close of the century, when in a single twelvemonth Pittsburgh has gained twice as many inhabitants as she gained during the first two decades of her existence. Measured with the stature of the present day, the Pittsburgh of 1820 was merely a village, but a village of enterprising, intelligent, public-spirited men, who were determined to make the most of their opportunities, and whose wisdom and foresight paved the way for the greater achievements which were destined to follow.

There were in Pittsburgh ten church organizations in 1820. Of these the Baptist Church was as yet without a church edifice. On the roll of the membership of this infant Baptist Church was the name of Sidney Rigdon, a native of Allegheny county. Being a printer, a little later, while employed in the printing office of the Rev. Robert Patterson, he obtained access to the manuscript of a novel by the Rev. Solomon Spaulding, entitled, "The Manuscript Found," upon which he and Joseph Smith subsequently based the composition known as the "Book of Mormon." He had come under the influence of the celebrated Alexander Campbell, whose teachings he first followed, but against whom he came later to cherish resentment, and, upon sundering his relations with Campbell, he associated himself with Smith and was his chief tool and coadjutor in the Mormon movement. The Roman Catholic Church, "Old St. Patrick's," was located near the site of the

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present Union Depot. Steps were already being taken to replace it by St. Paul's Church, at the corner of Grant and Fifth streets. The First and Second Presbyterian churches had houses of worship on sites still occupied by them. The Lutheran, or "German Church," as it was called, stood at the corner of Smithfield and Sixth streets. At the corner of Smithfield and Seventh streets, "Brimstone Corner," was the Methodist Church, which had taken the place of the first edifice, which had stood nearly opposite the present site of the Monongahela House, near the corner of Smithfield and Water streets. The Episcopalians worshipped in a church which stood upon the triangular plot of ground at the intersection of Sixth and Wood streets, and which, being built in oval form, to conform to the shape of the plot of ground upon which it stood, was known as "The Round Church." The Reformed Presbyterian Church, was located on Oak alley. The First Associate Reformed Church was located on Seventh street, near Smithfield, and the Second Associate Reformed Church was situated on Sixth street.

Three newspapers were published in the place: The "Gazette," semi-weekly, published by Eichbaum & Johnston, and edited by Morgan Neville; the "Statesman," edited by Ephraim Pentland; and the "Mercury," edited and published by John M. Snowden.

The Monongahela Bridge and the St. Clair Street Bridge over the Allegheny, both wooden structures, had been completed two years before this date. The Allegheny Court House was an unpretentious structure located on the site of "Old City Hall," in the Diamond Market Square. There were four banks in the place: The Bank of Pittsburgh, originally the "Pittsburgh Manufacturing Company," of which Alexander Johnston, the grandfather of President A. J. Cassatt of the Pennsylvania Railroad, was the cashier; the Pittsburgh Branch of the Bank of the United States, the Farmers' and Mechanics' Bank, which was in process of liquidation partly because of a robbery, and the City Bank of Pittsburgh, of which the Rev. Robert Patterson was the presi-

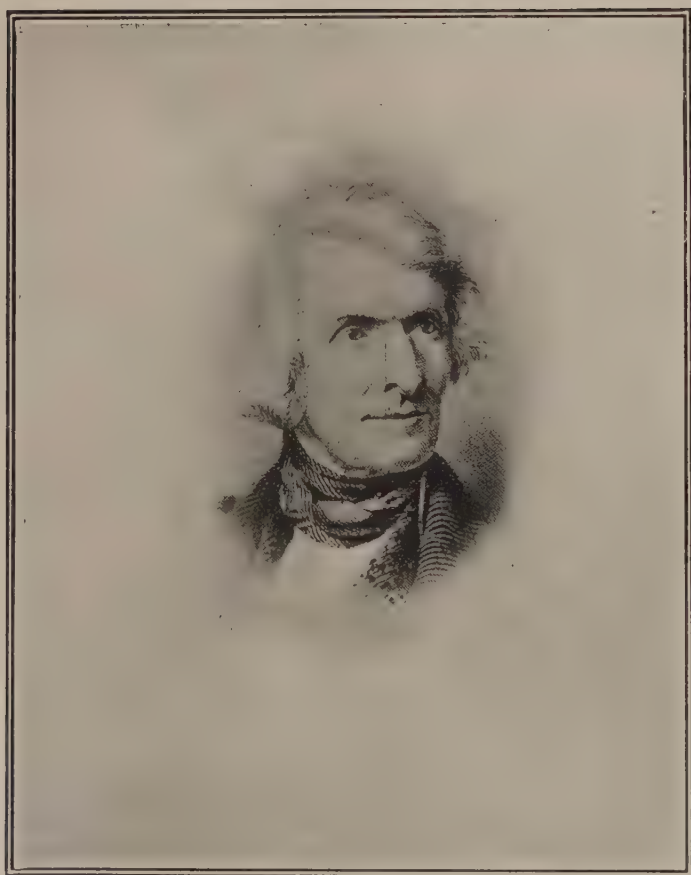
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dent, and which had but a brief existence. All of these institutions carried on business at the time in buildings, which had been originally private residences.

"The times were hard." The financial distress which prevailed from 1819 to 1821 over the whole country had told heavily upon Pittsburgh. Manufacturing was almost wholly suspended as the result of numerous failures. McClurg's foundry, which was the first iron foundry established west of the Alleghanies, and which stood at the corner of Fifth and Smithfield streets, on the site of the present Park building, was one of the few establishments concerned in the manufacture of iron which were in successful operation.

The beginning of the third decade of the nineteenth century found the infant city of Pittsburgh in the grasp of the financial difficulties which made the period memorable throughout the United States. The times were such as to "try the souls of men." But the financial depression did not last long. A better day presently dawned. Commerce and trade revived in the year 1825, and from that period forward, in spite of temporary reverses in 1830 and the disastrous panic of 1837, the growth of Pittsburgh as a commercial and manufacturing center was continuous.

The problem of increased facilities for transportation was met by the construction of the Pennsylvania Canal, the first boat upon the western section of which, extending from Pittsburgh to Blairsville, arrived laden with merchandise, which had been hauled over the mountains, on October 31st, 1829. The canal followed the right bank of the Allegheny river from the mouth of the Kiskiminetas and crossed the river from the right to the left bank on an aqueduct. The receiving basin was near the site of the present Union Depot. The tunnel under Grant's Hill, now utilized by the southwestern system of the Pennsylvania Railway lines, was originally built to allow the canal boats to pass under the hill, and at its southern end they were lowered by a system of locks at Suke's Run into the Monongahela. The first boat to cross the moun-



William Wilkins

United States district judge, 1824-1831; United States senator, 1831-1834; United States minister to Russia, 1834; appointed secretary of war by President Tyler in 1844. Photographed for this work from an engraving in the possession of George W. Guthrie

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tains with unbroken cargo from Philadelphia reached Pittsburgh on March 24, 1834.

The successful operation of the Pennsylvania Canal led presently to the adoption of plans for the extension of canals into the western country to connect Pittsburgh with the lakes and the interior of Ohio. Of these the Pittsburgh and Beaver Canal was completed in 1840. Meanwhile the improvement of the Monongahela river by a system of dams and locks was undertaken. At Brownsville the national turnpike crossed the river. By making provision to enable steamboats to reach Brownsville during the greater portion of the year it was felt that the high road of travel to the West, maintained by the government, could be effectually tapped, and the commerce of the road diverted to Pittsburgh. The Monongahela Navigation Company was incorporated, and under the able management of James K. Moorhead, Felix R. Brunot, William Bakewell, and their associates, the best expectations of the promoters of the enterprise were finally realized. The shipments of coal to the lower river ports presently rose to large proportions, and a handsome revenue from this source alone was ultimately received. Transportation upon the Pennsylvania Canal was largely in the hands of certain forwarding companies. Of these the most prominent were D. Leech & Co. of the Western Line, H. & P. Graff of the Union Line, William Bingham of Bingham's Line, J. C. Reynolds of the Dispatch Line, and McDowell & Co. of the Pennsylvania and Ohio Line. These concerns became the schools from which issued a generation of young men, trained to practically consider questions of commerce, who, at a later day became the leaders in the development of the great railway systems and the industrial and manufacturing agencies of the city, which was now rapidly growing up at the head of navigation on the Ohio. It was in this service that such men as Thomas A. Scott, William Thaw, Henry Lloyd, Benjamin F. Jones, and many others, whose activities have helped to develop the resources of the Commonwealth, were trained.

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With the advent of the newer and better modes of communication between the East and the West, travel and trade received a wonderful impetus, and manufacturing, which had almost come to an end in Pittsburgh in 1819, was resumed. The needs of the growing community located on the triangular area below Grant's Hill, between the two rivers, led by this time to the occupation of the level territory north of the Allegheny and south of the Monongahela. The Reserve Tract, including the town of Allegheny, opposite Pittsburgh, had been laid out as a manor, or reserve, in 1788, according to a resolution ordered by the supreme executive council of the Commonwealth of Pennsylvania, adopted September 11, 1787. The Reserve Tract contained an area of three thousand acres, divided into ten-acre lots, except a tract of something more than three hundred and twelve acres patented to James O'Hara, May the 10th, 1789, and located in the Butchers' Run district. The plan of the town of Allegheny, as originally laid out, contained one hundred and forty-four lots, each 60 feet by 240 feet, in blocks of 240 feet square. Four of these blocks in the center of the town were reserved for public buildings. The whole plan was surrounded by common ground—a strip sixty feet wide on the south, and two hundred and fifty feet wide on the north and east, and fourteen hundred feet wide on the west, containing an area of one hundred and two acres, designed as a common pasturage ground for the cattle of the owners of the in-lots. These tracts, reserved as cow-pastures, were named respectively, the East, West, North, and South Commons. The supreme executive council of Pennsylvania originally designed locating the seat of justice for Allegheny county within this reserve tract, but the report of the surveyor sent to look into the matter, and the strenuous opposition of the inhabitants of Pittsburgh, led to the abandonment of this plan, and the permanent location of the seat of justice for Allegheny county on the Pittsburgh side of the river. The report of the surveyor likened the Reserve Tract to a section of a lunar

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landscape, composed of deep pits and high cliffs. The settlement of the tract was very slow. Communication, originally by means of a ferry from Pittsburgh to the north side of the river, was made easy by the erection of the first bridge at the north end of St. Clair street in 1818. From this time forward a relatively rapid increase of population on the northern side of the river took place.

Among the more prominent families who settled in Allegheny at an early date were the Robinsons, Irwins, Riddles, Hannens, Cassatts, Stocktons, Andersons, Stewarts, Tasseys, and Campbells.

The town was formally incorporated on the 14th of April, 1828. Subsequently, on the 14th of April, 1838, the boundaries fixed by the first act were changed to some extent. The first burgess was John Irwin, who served from 1829 to 1834, and was succeeded by Hugh Davis, who held office until 1838. He was, in turn, succeeded by John Morrison, who held the office from 1839 to 1840, when the borough became a city. To the west, on the banks of the Ohio river, in 1832, was laid out the borough of Manchester, which was not, however, incorporated as a borough until November 2d, 1843. Between the borough of Allegheny and the borough of Manchester lay something like one hundred and fifty acres of land, which, in 1835, were purchased by Stephen Colwell and Charles S. Bradford for themselves and others, and laid out in lots. The name of Chatham was given to this plan of lots. The borough of Chatham was, however, never incorporated, and finally was absorbed by the boroughs of Allegheny and Manchester, lying on either side. The population of the borough of Allegheny, according to the census of 1830, was 2,810 persons, while that of Pittsburgh was 12,542 persons. In 1840 the census gave the population of Allegheny at 10,089 persons, while that of Pittsburgh was 21,115.

Among the institutions which have given the name of Allegheny a wide degree of fame is the Western Theological Sem-

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inary of the Presbyterian Church, which had its beginning at the time of which we are writing. The General Assembly of the Presbyterian Church having, in the year 1825, announced its intention to erect somewhere in the country west of the Alleghany Mountains an institution for the promotion of theological instruction similar to that already established at Princeton, N. J., appointed a committee, one of the members of which was General Andrew Jackson, to ascertain where such an institution should be located. Many cities and towns in the western country held out inducements in the form of sites and grants of money to secure the location of the school for themselves. The citizens of Allegheny, on November the 11th, 1825, held a town meeting and offered to the General Assembly of the Presbyterian Church eighteen acres and thirty-seven perches of the common ground as a site for the new institution. The General Assembly accepted this offer. The act of the landholders in Allegheny was approved and confirmed by an act of the Legislature of Pennsylvania, under date of April the 17th, 1827, and subsequently by an act passed on the 29th day of March, 1844. The ground comprised that portion of what is now known as Monument Hill, lying south of Ridge street and east of Irwin avenue. The Seminary subsequently reconveyed to the city of Allegheny all of this tract except an acre at the corner of Ridge and Irwin, upon which some of the seminary buildings still stand. The first seminary building stood on the top of Monument Hill, and was completed in 1831, at a cost of over twenty-five thousand dollars. This building was destroyed by fire on the 24th of January, 1854. The Seminary was legally incorporated in 1844.

On the south side of the river the borough of Birmingham was laid out by Dr. Nathaniel Bedford and Isaac Craig, in 1811. In 1819 it had grown to a hamlet containing between fifty and sixty houses, several of which were built of brick. Thereafter the borough continued to grow steadily. The borough of Lawrenceville was laid out in 1815 by William B. Foster, the father of

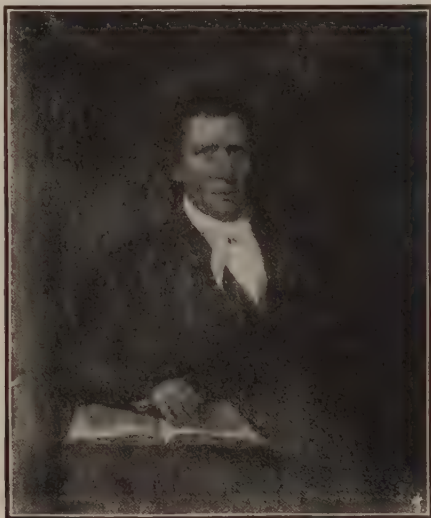
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Stephen C. Foster, the noted composer and song-writer, of whom Pittsburgh is justly proud. The motive for the creation of the new borough was the building of the Allegheny Arsenal in the neighborhood, and the need for homes for the operatives connected with this great establishment. The borough of Northern Liberties was incorporated by an act passed by the Legislature on April the 23d, 1829. Bayardstown, lying between Northern Liberties and Lawrenceville, was laid out by George A. Bayard about 1814. Martin Lowrie was burgess of Bayardstown in 1829. On the main stage-line to the east the first stopping place, where horses were changed, was a little hamlet early known as East Liberty. Here, at the time of which we are writing, a cluster of houses had sprung up, and there had been organized a Presbyterian church, the first pastor of which was the Rev. William B. McIlvaine, who assumed charge in 1830 and remained the pastor for forty years thereafter. Northern Liberties became the Fifth Ward of Pittsburgh in 1837. The city prior to this date, from 1829, had contained four wards.

The protection of the city against fire, and an adequate supply of water, were subjects which began to engross attention at an early date. In 1828 it was required that all residences, stores, and warehouses, renting for from fifty to one hundred dollars per year, should keep one leather fire bucket, and, those renting for more than one hundred dollars per year, should keep two such buckets. The question of supplying the city of Pittsburgh with water resulted finally in the construction of a reservoir on Grant's Hill, occupying the present site of the Frick building, which was filled with water pumped into it from a pumping station located on Cecil alley on the banks of the Allegheny river. The cost of erecting the water works, on January the 1st, 1832, was \$111,086.52. In 1833 a deep boring on the south side of the Monongahela river discovered a body of salt water at the depth of six hundred and twenty-seven feet. This led to the creation of establishments for the manufacture of salt within the city limits.

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an industry which still continues to be of some importance, especially in the city of Allegheny. In 1835 the population of Allegheny had risen to over five thousand souls, and several large factories for the manufacture of sheeting and other forms of cot-



John Black

First professor of the Ancient Languages in the Western University of Pennsylvania, 1822-1834. Was in early life the tutor and friend of Stephen Decatur. Photographed especially for this work from a portrait by Lambdin in possession of the Western University of Pennsylvania

ton goods were established. The manufacture of cotton goods from this time forward played an important part in the industries of the neighborhood, and continued to do so for nearly forty years thereafter, when, owing to the outbreak of the civil war, and the consequent difficulty of obtaining raw material from the

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South, and subsequently to the competition of the New England mills and the establishment of factories nearer the supply of raw material, this branch of industry gradually ceased. At present the manufacture of cotton goods in Allegheny county has been altogether abandoned.

As Pittsburgh and its environs grew in population, and manufacture and trade increased in the immediate vicinity, so also did a corresponding growth take place all through the region. In 1830 the new building of the Western University of Pennsylvania, at that time the finest structure within the city limits, was completed at the corner of Fourth avenue and Cherry alley. It was the pride of the town. Churches multiplied. The Third Presbyterian Church was organized in Pittsburgh in 1833, under the pastorate of the Rev. David H. Riddle. Attracting to his ministrations many of the leading men of the city, the Third Church presently became a great power for good and the center of many philanthropic movements. Its first edifice stood at the corner of Third and Ferry streets. The corner stone of St. Paul's Cathedral was laid on June 24, 1829. Rev. C. B. Maguire, who labored for the erection of the new edifice, did not live to see its completion, having been carried away by Asiatic cholera on July 17, 1833, while faithfully discharging his duties to the suffering. The building was completed and dedicated on May 4th, 1834. It was subsequently, on May 6th, 1851, destroyed by fire, and replaced by the present structure, which was dedicated on June 24th, 1855. In 1842 there were in Pittsburgh, Allegheny and environs seventy-six congregations of various Christian denominations and fifty-five church edifices. Of these, forty-six congregations were Presbyterian, representing the various branches of this family of churches.

In 1840, within a radius of ten miles of the court house tower, which still stood in the Diamond Market Square, although the work of building a new court house at the southeastern corner of Grant and Fifth avenues was projected, there was a population

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of about fifty thousand souls. Allegheny, in 1837, had been incorporated as a city with four wards. The community was prospering as few other communities in the country were prospering at this time and during the years that immediately followed. The burning question of transportation, which has always played a prominent part in the minds of the community, at this period was more than ever prominent because of the evident dawn of the day when the locomotive engine was to take precedence over all other agencies for land transportation. As early as 1827 the discussion of the establishment of railway connections between Pittsburgh and the east had attracted attention. In August of that year Judge Henry Baldwin, at a public meeting, delivered an address on the subject of a railroad from Baltimore to Pittsburgh. He dwelt upon the fact that the legislature of Maryland had incorporated the Baltimore and Ohio Railroad, and strongly advocated action looking toward an effort to secure an extension of this railway system from Baltimore to Pittsburgh. In July, 1831, the project of building a railroad from Pittsburgh to the Ohio Canal was considered. From this time forward railway conventions were held at frequent intervals and various lines were advocated or projected, but nothing much beyond preliminary discussion seems to have taken place until in the early years of the fifth decade. The "Cleveland Herald," in one of its issues of March, 1843, says: "The whistle of locomotives among the mountains within one hundred miles of Pittsburgh makes the wealthy burghers prick up their ears, and already the subject of a railroad from Pittsburgh to Cumberland is exciting no little interest. Build the road, Pittsburghers, and then we will see what can be done between Cleveland and the Iron City." To this the "Pittsburgh American," in an April issue of the same year, replied: "We are going to build it, Mr. Herald, and that quick, too, and we trust, if our life is spared but a very few years, to take a locomotive trip to Cleveland on our way to Niagara Falls, Green Bay, or some other summer resort on the Great Lakes. We will

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give you a call then." The first impulse toward the development of railways into the region arose from the activities of the people of Baltimore and Maryland.

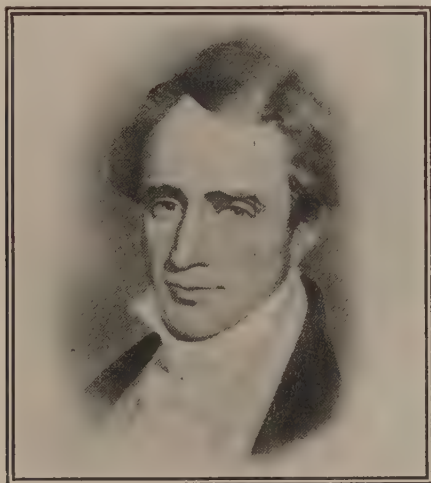
But while the community was prospering, and, in spite of the terrible experiences of the financial panic of 1837, was full of hope and enterprise, a dreadful calamity was destined to overtake the town. On April 10th, 1845, about noon, a fire broke out at the southeast corner of Second avenue and Ferry street, which swept forward like a whirlwind until it covered a space of fifty-six acres, extending along the Monongahela side of the town from the place of beginning as far east as the point where the Tenth street or Birmingham Bridge is located, and devouring everything from the river front inwardly as far as Fourth avenue and Wood street and from Wood and Diamond streets to Ross Street. Nine hundred and eighty-two buildings were destroyed, among them the most beautiful structure in the town, the University building, with its valuable and historic contents. The loss has been variously estimated as amounting to from three to ten millions of dollars. It is believed the actual loss was in the neighborhood of five and a half millions. This was a staggering blow. Thousands of persons were left homeless and penniless by this catastrophe. The Legislature exempted the holders of property within the burnt district from taxation for a period of four years, and appropriated fifty thousand dollars for immediate relief. Other American cities and towns contributed liberally, and private charity all over the State and the land, touched by the necessities of the unfortunate inhabitants, promptly rendered assistance. It is said that eight hundred thousand dollars were distributed for the relief of the afflicted people, a display of kindness towards Pittsburgh, which Pittsburgh has never forgotten, but which she has, in multitudes of cases since that time of disaster, emulated, notably at the time of the great Chicago fire, and the Johnstown flood, when she showed herself not unworthy of having received help in the days of her own sore distress.

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The ravages of great fires in American cities, while deplorable in their immediate results, have proved in not a few instances to be blessings in disguise. This was in a measure true of the calamity which overwhelmed Pittsburgh in 1845. With an unconquerable purpose, the people set themselves to the task of repairing their losses and rebuilding their desolated homes. The result was the erection of many structures better and more substantial than those, which had been swept away. At the same time there came into the place a large number of persons, who realized that there was a great and growing future before the community. The city not only speedily succeeded in healing the black and ugly scar left by the fire, but began to grow and stretch out in every direction over the hills to the north and the east of the area originally occupied by the first four wards. In 1845 and 1846 four new wards, the Sixth, Seventh, Eighth and Ninth were added to the city. In the fall of 1846 it was reported that two thousand five hundred buildings had been erected within the city limits for that year, and in the year following nearly as many more were erected. In the burnt district alone more than six hundred buildings had been constructed during these two years. The water-works which had been erected in the early years of the fourth decade soon proved inadequate to the growing demands of the community, and a new reservoir, located on Bedford avenue, and new pumping engines were speedily called for and provided. The old reservoir on Grant street was thereafter abandoned and the lot sold. Upon a portion of the ground occupied by it St. Peter's Protestant Episcopal Church was erected at a later date, only to give way in quite recent years to the magnificent Frick building. The lighting of the city of Pittsburgh by gas had been initiated as early as 1829 by the Pittsburgh Gas Company. Out of the small beginning made at that time grew up the vast system for gas lighting existing at the present day. In 1851 the citizens of Allegheny not only undertook to provide a system of gas lighting for that community, but also to provide water-works. Prior to

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this date the people of Allegheny had depended upon wells and cisterns for their water supply. The paving of streets was begun with vigor about the middle of the century; and the wharves along the Monongahela and the Allegheny were paved and assumed the appearance which they have maintained down to the



W. W. Irwin

Mayor of Pittsburgh, 1840; member of Congress, 1840; United States minister to Denmark, 1843. Engraved especially for this work from an original photograph in possession of Dr. W. J. Holland

present time, except as they have been modified by changes brought about by the erection of various bridges spanning the streams. About this time a few houses began to make their appearance upon the top of the bluffs above the Monongahela river, on the southern side of the river, and the first movement took place for the utilization of this region, now the center of great and growing suburbs. Meanwhile population began slowly

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to press eastward toward the districts known as Oakland and East Liberty, but residences established here were for the most part the homes of wealthy men, who desired a measure of rural retirement and who were able to maintain communication with the city proper by means of private conveyances. No public means of conveyance were as yet provided, nor, indeed, thought of, until 1859, when the Citizens' Passenger Railway, running from Fifth and Market streets by way of Liberty street and Cecil alley to Penn street, and by the Pittsburgh and Greensburg Turnpike to the suburbs was incorporated. The principal cluster of suburban residences was in Oakland, and was known as the "Third Church Colony," because the owners were principally in the communion of that church. East Liberty was also beginning to grow rapidly.

The question of railway transportation came up with renewed interest in the years immediately succeeding "The Great Fire." Railways from Pittsburgh to Cleveland, from Pittsburgh to Conneville, thence to be carried to a connection with the Baltimore and Ohio in Maryland, from Pittsburgh to Kittanning, from Pittsburgh to Wheeling, from Pittsburgh to Steubenville, and from Pittsburgh to Philadelphia, were projected. The commissioners of Allegheny county were authorized to lend assistance to these various enterprises, and obligations were assumed which, in about ten years, aggregated the sum of \$5,500,000. Obligations of a similar nature were assumed by the cities of Pittsburgh and Allegheny, and at the outbreak of the civil war an indebtedness had been assumed on this behalf which hung like a millstone about the neck of the community. Meanwhile the work of railway construction went on with wonderful rapidity. By the fall of 1851 "express" trains left the railway depot on Liberty street for Turtle Creek every morning at 6:30, connecting at Turtle Creek with stages which conveyed passengers east to Beatty Station, where they again resumed travel by rail and reached Philadelphia on the following day. The fare from Pittsburgh to Phil-

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adelphia was \$11.00. In 1854 the Mountain Division of the Pennsylvania Railway was opened for traffic and the Portage Railway, which had been used by the company from 1848, fell into disuse. In 1857 the property of the Pennsylvania Canal was finally and formally transferred to the Pennsylvania Railroad and practically abandoned. By July the 1st, 1851, the rails of the Cleveland and Pittsburgh Railway were laid as far as New Brighton, and connection was established with the Cleveland and Cincinnati Railway by October 1st. In November, 1856, the Pittsburgh, Fort Wayne and Chicago Railway was opened for through traffic to Chicago. The road was the result of the merging and consolidation of three other lines. From this time forward the progress of railway developments was continuous throughout the western country, and Pittsburgh, having established herself as a focal point of railway enterprise, saw her future industrial and commercial success on the way to be certainly realized as never before.

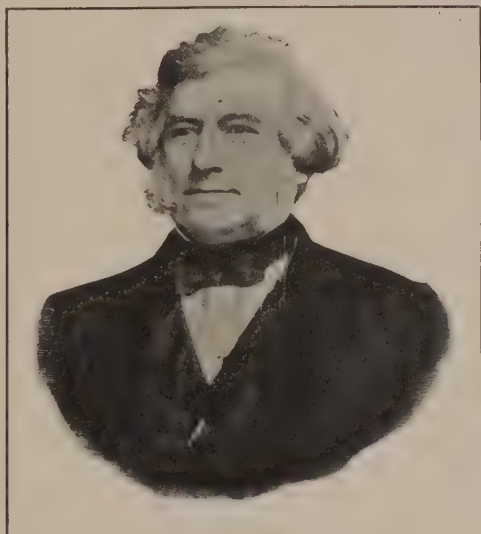
The development of manufacturing and of mining within the region made great advances from 1845 to 1860, in spite of the fact that, owing to the tariff of 1846, the iron industry, in particular, was during much of the period in a languishing condition. The European manufacturer of iron was able at this time to boldly enter the American market and undersell the native producer. All the countless appliances and processes for cheapening the production of iron, which have given America and the Pittsburgh district, in particular, the supremacy in this important domain of industry, remained as yet to be invented, and the depression of the early fifties, followed by the panic of 1857, make this time, while it witnessed some of the most marvelous advances of the age, very memorable also because of the sore financial distress which was felt all over the United States. Pittsburgh endured the strain at this period even better than she had borne the troublous days of 1819 and 1837; but very great distress was felt.

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The war with Mexico, from 1846 to 1848, demonstrated the great importance of Pittsburgh as a depot for military supplies. Much of the artillery used in the struggle and a vast quantity of the military equipment came from Pittsburgh factories and from the Allegheny Arsenal. Pittsburgh was made the rendezvous of the regiments from the western part of Pennsylvania, and they were transported by river from Pittsburgh to New Orleans, and there embarked for the scene of conflict. The troops recruited in Pittsburgh gave a good account of themselves on the soil of Mexico. The warlike activity of the nation did not much more than cause a ripple in the general flow of business enterprise in the region. Mexico was far away, and, while men read the news of what was going on, and dwelt with pride upon the exploits of their neighbors and friends, who had gone forth to fight under the flag of their country, the affairs of banks, mills, factories, and mines claimed the larger attention. The industrial development of the community went on apace. The trade in coal with lower river ports grew steadily and came soon to be in volume and financial amount second only to the trade in iron and its products. The manufacture of glassware increased enormously. The building of locomotive engines, which had been already carried on as early as 1837 in a small way, was resumed. The construction of machinery of various forms was extensive. The building of river steamboats reached a height, in 1857, never equaled before, or since. The population of the two cities of Pittsburgh and Allegheny had risen, in 1850, to nearly 58,000, and of the county of Allegheny to 138,290. In 1860 the population of the two cities was, collectively, 78,000 and of the county 178,831 souls. The railway developments and the increased facilities for intercourse with different parts of the country had not a little to do with this. But there were other factors of a strictly human kind at work. The generation of very conservative business men, who had done much, indeed, to develop the resources of the region, was being gradually supplanted by a younger generation of even broader

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views and more intense courage, the stimulus of whose enterprise was beginning to be felt in many directions. As the seventh decade of the century approached there was found in Pittsburgh a remarkable body of men, some of whom were destined to



Wilson McCandless

United States district judge; prominent in the political life of Western Pennsylvania; born 1810; died 1882. By courtesy of Dr. W. J. Holland

become known over the entire land as leaders and organizers of effort. William Thaw, Curtis G. Hussey, Thomas M. Howe, James K. Moorhead, B. F. Jones, Henry Lloyd, James Laughlin, James Park, Jr., William Frew, Andrew Carnegie and a score of other able men were beginning, as the great struggle of the civil war drew on apace, to show already of what superb faculties they were the possessors. Of such men any city might well be proud,

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and, with such men as industrial and commercial leaders, no city, especially one possessing the natural advantages of the Iron City, could long be held back from achieving distinction. Seated in his law office was another quiet man, of whom the nation was soon to hear much, Edwin M. Stanton, whose broad shoulders soon were to assume a burden like that of Atlas. In the pulpits of Pittsburgh were men of great power. They stood solidly for truth and humanity. In old "Lafayette Hall," which long stood on Fourth avenue upon the site to-day occupied by the Tradesmen's Bank, on February 22, 1856, the Republican party was born. The call for the meeting was as follows:

"To the Republicans of the United States:—In accordance with what appears to be a general desire of the republican party, and at the suggestion of a large portion of the republican press, the undersigned chairmen of the State republican committees of Maine, Vermont, Massachusetts, New York, Pennsylvania, Ohio, Michigan, Indiana, and Wisconsin hereby invite the Republicans of the Union to meet in informal convention at Pittsburgh on the 22d of February, 1856, for the purpose of perfecting the national organization and providing for a national delegate convention of the Republican party at some subsequent day to nominate candidates for the presidency and vice-presidency, to be supported at the election in November.

"DAVID WILMOT of Pennsylvania.

"LAWRENCE BRAINARD of Vermont.

"WILLIAM A. WHITE of Wisconsin.

"A. P. STONE of Ohio.

"J. Z. GOODRICH of Massachusetts."

Among those who were present at the convention were Abraham Lincoln, Owen Lovejoy, Horace Greeley, Oliver P. Morton, Zachary Chandler, Joshua R. Giddings, E. D. Morgan, E. R. Hoar, Francis P. Blair, and a host of others, whose names became household words in the great struggle, which presently was to involve the nation. The sentiment of Pittsburgh was

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strongly opposed to human slavery and the disruption of the union of the States. When, in the fall of the year, Fremont and Dayton, the nominees of the republican party, were voted for, Pittsburgh, Cleveland, and Chicago were the only great American cities, which showed themselves by large majorities to be in favor of the principles and policies outlined by the convention of February 22d. Four years more brought about an entire revolution in sentiment throughout the Northern States, and when, in November, 1860, the vote for presidential electors was cast, it was found that "the State of Allegheny," as Mr. Lincoln called the county, had by an overwhelming majority recorded herself again on the side of freedom and the maintenance of the Union. Abraham Lincoln was elected president of the United States and the fires of secession began to burn brightly south of Mason & Dixon's line.

Before passing on to consider the part which Pittsburgh took in the great civil war it is proper to pause for a moment to glance at the progress which had been made along the lines of culture and social improvement in the community during the fifteen years which had passed between the great fire and the momentous era which we are approaching.

As we have seen, the fire swept out of existence the buildings of the Western University of Pennsylvania. A new building was at once erected upon Duquesne Way, and the work of instruction was resumed, but again, in 1849, this edifice was devoured by flames. Thenceforward, until in 1857, there occurred an interregnum in the work of instruction. In 1857 a new site was purchased at the southwestern corner of Ross and Diamond streets, a suitable edifice was built, and a faculty was organized. William Thaw, an alumnus of the University, came forward presently with substantial offers of assistance, and from this time onward the story of the University has been that of slow but steady growth. The department of astronomy (the Allegheny Observatory) had its inception at this time. The brilliant researches

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conducted here by Professor Samuel P. Langley and James E. Keeler in later years gave a worldwide fame to the institution. While the university was taking on a new life the common school system of the city was being perfected. In the face of some opposition the Central High School came into being, and the citizens began with commendable zeal to apply themselves to the task of bringing an elementary education within the reach of all the children of the community. Churches multiplied as rapidly as did the schools. Incipient efforts were made to create public libraries. Hospitals for the sick and the insane and asylums for the destitute began to be provided, and all the humanizing and enlightening agencies of a great and growing city full of Christian men and women began to assume nascent form. It is true that, compared with what has taken place in more recent years, the results achieved do not at first strike the student as having been great, but these early efforts held within themselves the germ of those movements and the seed of those sentiments which in later years have borne a rich fruitage of good to the community.

The social life of the period was characterized by the display of much genuine hospitality. Among the civic guests received with honor was the Prince of Wales, now King Edward VII. of England, who visited the city in 1858. Pittsburgh, in 1825, had welcomed the great Lafayette, whose foster brother, the father of the Hon. Felix R. Brunot, was a resident of the place; in 1842 she had extended a cordial welcome to Charles Dickens, the famous English novelist, who apparently did not quite appreciate the hospitality shown him, and in 1851 she had hailed with acclaim Louis Kossuth; but she strove as never before, in 1858, to show her appreciation of the presence of the young heir to the British crown. Many distinguished visitors have entered her gates since then, but by the older generation the visit of the Prince of Wales is always remembered with pride and pleasure.

The election of Abraham Lincoln to the presidency of the United States was not believed by the people of Pittsburgh, or of

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the Northern States generally, to be likely to lead to overt acts of secession on the part of the South. The feeling and attitude of the leaders in the South was not at first thoroughly understood. Events which occurred in rapid succession tended to dispel all illusions. Among the acts of the democratic administration at Washington, which provoked great excitement in Pittsburgh, was the order of Secretary Floyd, the secretary of war, to hurry to various points in the South vast supplies of military stores and of cannon, which were concentrated at the Allegheny Arsenal, or lying ready for shipment at the Fort Pitt Foundry. The evident intention of Secretary Floyd to place the munitions of war belonging to the national government within the power of the people of the States, which were already taking steps to break up the Union, led the people of Pittsburgh not only to enter a most solemn and decided protest, but to organize themselves for resistance. Major Symington, who was in command of the arsenal, succeeded, in spite of the rising popular indignation, in having conveyed to the South over 10,000 muskets and vast quantities of other stores, but when it came to moving the one hundred and twenty-four cannon, which had been made in Pittsburgh, the people rose up in their might and declared that such a movement should not be allowed. The details of the conflict we cannot record, but in the end popular indignation triumphed, and the cannon, some of which had already been hauled to the Monongahela wharf and placed upon the steamer "Silver Wave" for shipment, were returned to the arsenal.

When the first call for troops was made by President Lincoln intense excitement arose. War meetings were held and a committee of public safety, composed of the leading citizens of the county, was formed. Two thousand men were promptly gathered as volunteers, organized, and sent forward for duty, and others quickly followed. When the news of the disaster at Bull Run reached the city and a call for troops to the number of 300,000 to enlist for three years' service was made, the county responded at

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once, exceeding with her volunteers the quota of troops which were called for from the vicinity. By the fall of the year 1862 the county had over thirteen thousand enlisted men in the field, and it was ascertained that no draft for men from the county was required. Before the war closed the county put thirty thousand men into the field, of which number fully four thousand were left dead upon the fields of battle. Meanwhile the busy population was engaged with energy in providing the munitions of war called for by the government. In February, 1862, Mr. Knapp of the firm of Knapp & Wade informed the committee on ordnance of the lower house of Congress that his firm could supply the government with 1,000 Columbiads of the largest size and 100 Rodman 20-inch guns annually. This firm was in many respects one of the chief supports of the government in providing ordnance for the public defense. In old Fort Pitt Foundry were cast the mortars which silenced the batteries at Vicksburg and the cannon which roared forth victory under Farragut at Mobile and at New Orleans. Cannon made in the white heats of Pittsburgh furnaces did their deadly work in a hundred fights by sea and land in those days of terrible conflict. The biggest cannon at that time in the world was cast in Pittsburgh on February 11, 1864. From the machines invented for the making of bullets in Pittsburgh were poured forth in a steady stream the missiles which, dashing from the throats of half a million of rifles, by their leaden rain quenched at last the fires of rebellion throughout the land. The boat-yards of Pittsburgh were as active as the foundries and the factories in supplying the needs of the government. In the year 1862 a number of river steamboats were built for the government to be used as gunboats, five tugs were converted into rams and were attached to the Mississippi flotilla. The building of ironclads and monitors was taken up. The gunboat Marietta, built by Tomlinson, Hartupie & Co., was launched on November 22d, 1864. The ironclad monitor Manayunk, built by Snowden & Mason, was launched from the south end of the Monongahela

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Bridge on December 18th. She was 1,400 tons burden, 225 feet in length, 43 in beam, and drew 12 feet of water. Her armor, made of Sligo iron, was furnished by Messrs. Lyon, Shorb & Co. She was towed down the Ohio and subsequently went to sea. Other boats of the same class quickly followed from the shipyards of the same firm.

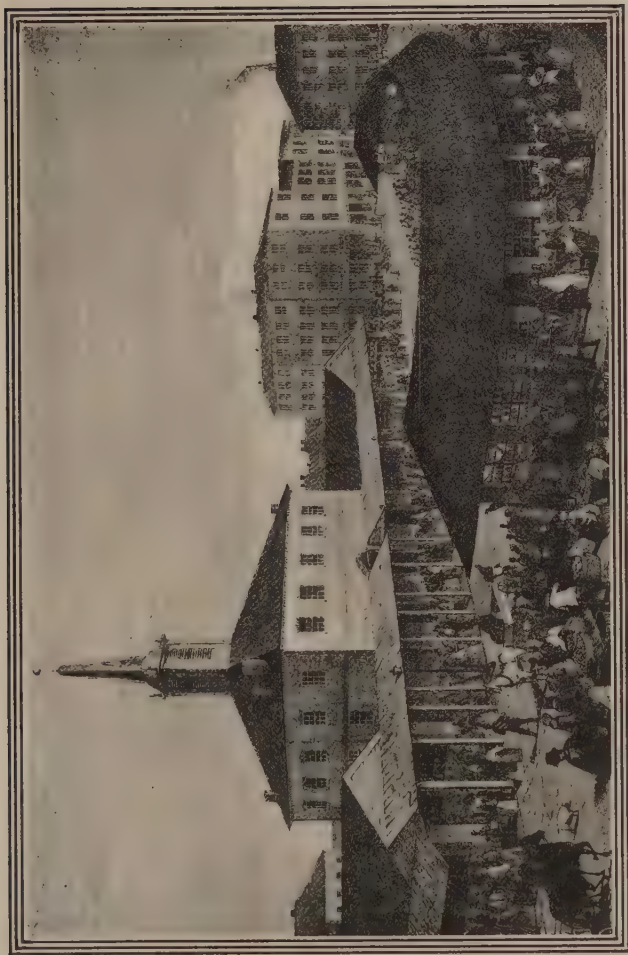
The intense activity which prevailed in manufacturing government supplies was supplemented by most diligent effort to minister to the necessities of the troops constantly passing through the city or quartered in the various camps which were maintained in Pittsburgh for drilling and organizing troops. Nor were the needs of the soldiers in the field forgotten. The Pittsburgh branches of the Christian Commission and of the Sanitary Commission did noble work. It is estimated that between them nearly two millions of dollars in money and supplies were raised. The families of local volunteers were also generously cared for by the committee of local safety.

At times the community was thrilled by the fear of attack. Again and again the soil of Pennsylvania was invaded by the Southern armies. In 1863, when the invasion by General Lee was known to be imminent, a gathering of the citizens of the two cities was held on the Diamond in Allegheny. General Thomas M. Howe, who had taken an active part in all public measures since the outbreak of the war, addressed the meeting, warning the citizens of the impending danger and urging prompt steps to fortify the city. The business men of the community promptly responded, and, closing their stores, mills, and factories, sent all their employees, who could be gathered, armed with picks and shovels, to work upon entrenchments, which had been laid out by General Barnard. Mount Washington, Herron, Harbison, Squirrel, Davis', Gaz-zam's, Cemetery, Robinson's, Hazlett's, McKeever's, Turtle Creek, and McGuire's Hills were fortified with extensive earthworks, the remains of which are visible in many of these places to the present day. As many as 6,000 men were engaged in laboring

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upon the trenches and rifle-pits at the same time. The New York "Times," in commenting upon the difference between the people of Harrisburg and of Pittsburgh, said that "the people of Harrisburg have taken to their heels and the people of Pittsburgh to the earthworks and their guns." This show of energy and determination was thoroughly characteristic of the people of the city at that time.

During the four long years of the colossal war, with alternating hope and fear, the people of the city held their way. Gradually victory began to succeed victory, and when at last the mighty struggle issued in the triumph of the arms of the Union, the joy of the populace knew no bounds. The news of the evacuation of Richmond was by a common impulse seized upon by the entire community as an occasion for rejoicing. Fires were drawn, the mills were shut down, the people turned out *en masse*, cannon roared salutes, the church bells rang, impromptu speeches were made on the street corners and in halls and churches. The "Gazette" of April 5th, 1865, commenting upon the occasion, said: "Our city continued jolly all day yesterday and last night, and it is so yet. In fact, it is a growing complaint. The thing refuses to stop, and is becoming decidedly chronic. The rolling-mills, the factories, the foundries, and workshops stopped all of a sudden and refuse to start again. The entire city has taken to the street and refuses to go in, rain or shine. The men are jolly, the women are jolly, the children are jolly, everybody is jolly, and there is no knowing where the thing will stop." But the gladness brought about by the news of the final downfall of the armed forces of rebellion and the dawn of peace was speedily overclouded by the tragedy of April 13. The news of the assassination of President Lincoln was received on the morning of April 14. The cheeks of brave men grew pale with horror and indignation, and every face was wet with tears. The feeling of men was voiced by one who said: "This is the saddest news the earth has heard since the Saviour was crucified." The city was plunged



First Allegheny County Court House and Old Pittsburgh Market

The tower of the court house shows where it was once struck by lightning. Building was demolished in 1852. Photographed especially for this work from an engraving in possession of Mr. Robert S. Smith

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into mourning. The bed in which President Lincoln had slept at the Monongahela House when on his way to assume the Presidency, the same which had once been occupied by the Prince of Wales upon his visit, was draped with black, and every house in the city displayed the somber symbols of heartfelt grief.

The end of the struggle for the preservation of the national life brought back to their homes the brave men who had gone forth to serve their country. It was not to idleness that they returned. The stimulus of those stern days had moulded men for action, and the great continent lay before them ready to be taken by the hands of men and used. Nothing more wonderful in the annals of mankind has ever been recorded than the way in which the millions of men under arms were quickly swallowed up in the great army of human industry, which had set itself to reclaim a continent from its wilderness state and make it the fruitful abode of civilized men. In this work Pittsburgh played a mighty part.

When the war broke out it was believed that trade, commerce, and manufactures were ruined. But the needs of the time were such as presently to call for the putting forth of every energy to meet new and growing demands. It was not merely munitions of war which were called for. Railways and engines were to be built, machinery was to be provided, a thousand things were demanded which only skilled labor could supply. Though it was a time of war, it was a time when every form of human industry was called into requisition.

In the midst of this activity western Pennsylvania found herself suddenly confronted with opportunities of which she had never dreamed, which were destined to add wonderfully to her wealth and to her industries. It had been known from the very earliest settlement of the region that mineral oil existed here and there. The Moravian missionary, Heckewelder, found oil upon the banks of what was later known as Oil creek, and records the uses to which it was put by the Indians. In the fourth and fifth

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decades of the century crude petroleum was collected and sold in small bottles as a remedy for rheumatism. In 1851 S. M. Kier of Pittsburgh succeeded in partially refining the oil, and sold considerable quantities as a medicinal remedy. In 1857 W. McKeown started a refinery in the First Ward, Allegheny, and sold some of the product for illuminating purposes. The Drake well was bored in 1859, and from that time forward the growth of the oil industry was marvelous. The natural center of this industry was Pittsburgh, and in later years Allegheny county and the adjacent parts of Washington county became the most productive fields from which the green fluid was drawn. During the years of the civil war and those immediately following the oil industry engaged much attention in Pittsburgh. By February, 1865, there had been formed in Pittsburgh and vicinity sixty-three oil companies, with an aggregate capital of \$21,600,000, and the production was 30,000 barrels per week. Refining was carried on extensively, and in 1867 there were fifty-eight concerns engaged in this industry. But all that was swept away as the Standard Oil Company gradually assumed a monopoly of the business.

More important to Pittsburgh even than the development of the oil industry was the discovery of the possibility of utilizing her great stores of coal in the manufacture of coke, and thus of pig-metal. As early as 1813 John Beal, an Englishman, proposed to the owners of blast furnaces "to instruct them in the method of converting stone coal into *coak*." His wise and benevolent intention did not apparently meet with much success, and it was not until the period immediately antedating the civil war that the iron manufacturers of Pittsburgh and its vicinity began to awaken to the possibilities of their situation, and to direct their attention to the superior advantages which they possessed in the vast supply of coking coal, which lay at their very doors. From 1859 onward the manufacture of coke began to play an important part in the industries of the region, and the way was paved thereby for that supremacy in the manufacture of iron and steel

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which has made Pittsburgh the chief center of this industry upon the globe.

It was not, however, only as a center of the iron industry that Pittsburgh was to become known. The enterprise of her busy sons had reached out to the region of the great lakes. She became a potent factor in the development of the copper mines of Lake Superior, and the manufacture of copper and its alloys assumed a prominent part in her industries. The old business of



Second Allegheny County Court House

Destroyed by fire, 1882. Engraved especially for this work from an old print

glass-making flourished and grew apace, only in more recent years, with the discovery of the applicability of natural gas as a fuel to rise to yet greater proportions. As her manufactures and trade grew, her banking capital expanded, and in a thousand different channels her energies flowed out to meet the wants of men.

But the human element is ever the most important factor in affairs. What are natural resources if there be not the cunning brain and the masterful will to utilize them? Pittsburgh was happy in the virile strength and quick energy of her tireless population, and the presence in her midst of men possessed of that

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power of organization and control which evolves from things seemingly insignificant results which are great. Among the names which began to be heard often in the years of which we are speaking was that of a young Scotchman, who, trained in the school of youthful adversity, had come to be reckoned as the possessor of a master mind in the field of manufacture and commerce—Andrew Carnegie. Another young man of whom the world was to hear much came to make Pittsburgh his home about the close of the seventh decade of the century—George Westinghouse. Gathering about them a galaxy of men no less able than themselves, they set themselves to conquer fortune, and they succeeded. The industries which they initiated and represented were not alone. There were hundreds of other men, bright, keen, and capable, who, addressing themselves to the tasks of life as they found them, took the city of 1865 and in the next three decades transformed it into one of the most prosperous cities of the world. The city of Pittsburgh from 1865 onward presents to view as remarkable an assemblage of men gifted in those qualities which make a community truly great as is anywhere to be found. No city in the land has possessed a body of citizens possessing greater "business talent" than she.

The growth of population in the district adjacent to the old wards of the city and the desire of these outlying districts to effect a union with the city led, from 1846 onward, to the erection of additional wards, and in April, 1867, to the admission of the additional wards, from the Tenth to the Twenty-third, inclusive, and by act of April 2, 1872, the boroughs on the south side of the Monongahela—Ormsby, East Birmingham, St. Clair, Birmingham, South Pittsburgh, Allentown, Mount Washington, Monongahela, West Pittsburgh, Union, and Temperanceville—were added to the city. The union of Allegheny and the boroughs adjacent thereto was agitated at this time, as it had been often before, but nothing came of the discussion. The addition of the new wards led to steps to meet their municipal necessities.

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The paving and lighting of streets, the erection of new water-works and the development of lines of street railways claimed much attention at this time, and the work has gone forward continuously ever since.

The commercial panic of 1873 told heavily upon the city, as it did upon all other American communities. The depression which occurred at this time left its mark upon Pittsburgh for many years afterwards, but the old inflexible courage and the indomitable energy of the people brought them through these times of distress to a place of still larger power and greater success.

Rallying from the financial misfortunes of the year 1873, Pittsburgh addressed herself, as did the entire nation, to the task of advancing her interests. Her growth from this time onward becomes to the student simply marvelous. The statistics showing her development, as they are scanned, become bewildering. No city on the American continent has made relatively greater progress, and she has outstripped in her manufactures and in the volume of her commercial transactions many cities which are far older, and which at one time gave promise of never allowing her to pass them in the race for industrial supremacy. We are speaking of the "Greater Pittsburgh," that aggregation of human beings located within a short radius of her city hall, which transacts business in her marts and nightly flows outward to their homes nestling on the thrice seven hills which stand guard over the valleys in which her workshops and factories have their place. Pittsburgh, politically defined by comparatively narrow boundaries, has to-day a population of only 350,000 souls, but Allegheny and McKeesport, which, for all but political purposes, are integral parts of Pittsburgh, and the boroughs near by, separated by no visible line of demarcation from the city, include a population, according to the census of 1900, of over 275,000; so that there is compacted together, in what is properly one city, a community of 625,000 inhabitants, as great a population as was that

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of Philadelphia county only thirty-five years ago. The population of Allegheny county in 1900 exceeded the population of Philadelphia county in 1876, "the Centennial year," by fully 50,000 souls. Within the limits of Allegheny county as it was originally defined (see p. 471), the census of which, in 1790, showed a population of 10,309 inhabitants, there were, according to the census of 1900, 1,306,142 inhabitants. Within a radius of sixty miles of the City Hall of Pittsburgh there was resident in 1900 a population of approximately 1,750,000 souls. The "Pittsburgh district" is, with the exception of the region about New York and the region centering in Philadelphia, the most populous to-day upon the North American continent.

As population has grown, so have grown manufactures and trade. The banking capital of Pittsburgh was, in December, 1902, \$362,000,000. The capital employed in her various mercantile and manufacturing establishments aggregated a sum fully four times as large as this great amount. When Conrad Hawk drove the first wheeled vehicle into the place, in 1758, he little dreamed that five generations afterwards the incoming and outgoing tonnage of the spot would exceed in volume that of every other city upon the globe. But such is the case. The tonnage of Pittsburgh, by rail and river, at the end of the nineteenth century, exceeded that of New York three times and that of London twice. The capacity of the railways and steamboat lines of the place in recent years has been taxed to the uttermost to keep pace with the growing demands, and often they have failed. As many as fifteen thousand loaded cars have in a single day been moved in and out of the place. "The masters of chariots" in the Pittsburgh district have herculean tasks set before them by the energy of her busy people. The lines of her commerce reach out to the remotest quarters of the globe. Machinery built in Pittsburgh shops yokes the torrent of Niagara to the service of man, drives the trains in London subways, checks the speed of locomotive engines on almost every railway in the world, and furnishes light to thou-



Old Canal Basin as it appeared in 1848

Present site of the Passenger Station of the
Pennsylvania Railroad, Pittsburgh. Photo-
graphed especially for this work from a canvas
in possession of D. F. Henry

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sands of cities and towns. The armor made in her mills belts the battleships of the United States and of other lands. Bridges designed and constructed in her mills span rivers upon every continent. She fabricates in her workshops the webs of steel which bear up the walls of brick and stone which tower over Broadway in New York and State street in Chicago. She makes the plate-glass through which the throngs peer into brilliantly lighted shop windows in a hundred cities of the world. She makes more than half of all the steel and iron consumed annually in the United States, and controls by her capital the manufactories in which the rest is made. She has four thousand mills and factories, turning forth an annual product worth three times a hundred millions, and paying a hundred and fifty millions a year in wages.

But the Pittsburgh which we find at the dawn of the twentieth century is more than a center of industrial energy and a place for mere money-getting. She has found time to cultivate the gentler arts, and is no stranger to the refinements of life. Her homes are, many of them, palaces, and the vast majority of them replete with comfort to a degree scarcely elsewhere known. She has escaped in a large degree the curse of crowded tenements. The lines of electric railways radiating in every direction have made it possible for her workmen to secure homes of their own, and workingmen are nowhere in the world, as a class, better paid, better fed, and better housed than in the Iron City. The architecture of her public buildings compares favorably with that of other American cities. Her court house is the masterpiece of that great master, H. H. Richardson. In Highland Park, most beautiful for situation, is the Zoological Garden, the gift to the city of the late Christopher Lyman Magee. Through the splendid generosity of one of her daughters, Mrs. Mary E. Schenley, a lineal descendant of General O'Hara, one of the earliest settlers of the place, Pittsburgh has a noble park, situated in her very heart, and embellished by the princely generosity of one of her sons, Henry Phipps, Jr., with a conservatory said to be the larg-

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est at the present time in the United States. At the entrance to this park stands the Carnegie Institute, which, when completed, will be one of the largest and most important institutions of its class in the world, the chief monument of her most illustrious citizen, whom, though other cities claim him, she always calls her own. The library, museum, and art gallery of the institute have achieved a world-wide reputation, and in the great hall of the institute music reigns supreme. Pittsburgh is an intensely musical city. Nowhere else in America is greater or more enthusiastic interest in "the divine art" shown. Nor has Pittsburgh failed to cultivate a love for the sister arts. In the homes of her men of wealth are stored many of the masterpieces of ancient and modern painting, and many of her gifted sons and daughters have made their names widely known by the efforts of their facile brushes. Literature is not without its ardent votaries within her borders, and while Pittsburgh is not distinctively a literary center, the number of those of her sons and daughters who have achieved a measure of fame in literary pursuits, either while resident here, or elsewhere, is surprising to the student. She abounds in lovers of good books. One of the choicest collections of "Americana" in the new world is lodged under the roof of one of her stately mansions, and represents a lifetime of research expended by its maker.¹ In the domain of pure science she has not been behind other cities of the world in adding her contributions to the sum of human knowledge. Of course, in a city in which the industrial arts hold so prominent a place, it is natural that there should be found a multitude of men who, as chemists and engineers, are pre-eminently equipped with ability and knowledge to deal with the peculiar problems which confront them. The contributions made by these men to applied science have been vast and varied, but Pittsburgh has ever had a few who have been the

¹The late Wm. M. Darlington, vice-president of the Historical Society of Pennsylvania.

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votaries of knowledge for its own sake. She is proud of the achievements of her Langley and her Keeler. She is proud of the researches in the domain of paleontology and the natural sciences made by the staff of learned men gathered in the museum of the institute, for the prosecution of whose labors provision has been made in recent years by the generous founder.

Pittsburgh has a generous heart. The roll call of her philanthropists is long. The names of Rev. Charles Avery, of William and Jane Holmes, John H. Schoenberger, Henry Lloyd, William Thaw, William Frew, Joseph Dilworth, James D. Bernd, Felix R. Brunot and Chistopher Lyman Magee, not to speak of the living whose charity is an incessant stream, will be held in everlasting remembrance by the community to the service of which they consecrated much of their wealth.

The Pittsburgh of the dawning twentieth century, issuing from the Pittsburgh of the civil war, has not, however, reached her place of vantage without at times passing through the furnace of trial. She remembers with a shudder the terrible days of 1877, when her skies were red with fires kindled by incendiary hands and blood ran in her streets. The awful lessons of the railway riots and the Homestead strike at a later date have borne fruit making for righteousness and sobriety among her people. She has passed through trials by flood and by fire. She has again and again been made to feel the force of recurring financial depressions. She has found herself the victim of political treachery and deceit, and has been made to bear heavy burdens because of the neglects of those whom she has trusted, but who, for selfish personal ends have again and again betrayed her. Her municipal policies have not always been above reproach, and she has at times, largely through her own fault, lacked wise, intelligent, and unselfish municipal leadership. She has at times, to her sorrow, exalted incompetent men to places of power, and has suffered in consequence. In this respect she has, perhaps, not been different from other American cities.

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But through trial and storm and sorrowful mistakes Pittsburgh has made her way until to-day she stands with a pillar of cloud over her in the daytime and a pillar of fire at night, like Israel of old, with ardent brow, and eyes kindling with hope, looking into a future the glory and greatness of which she believes will far exceed the best that the historian has to tell of her past.

Judiciary—Although the county now comprised by the County of Allegheny was the scene of important events in the colonial history of the State, it cannot be said that the history of its bench and bar begins in colonial times.

The first courts of justice which ever sat in the limits of the county were held under the government of the Colony of Virginia which had possession of and claimed title to Fort Pitt and the surrounding country for many years. It is said that the first County Court held at Fort Pitt was held there in 1774 for West Augusta county, Va. That county was afterwards divided by the government of Virginia and a new county called Youghioghanian was formed which included Fort Pitt, and the courts of this county were held at Fort Pitt and perhaps elsewhere in the county until 1780.

At the same time the territory was claimed by Pennsylvania as a part of Westmoreland county, then forming the whole western part of the State. In 1781 the county of Washington was formed, including a part of the territory now included in Allegheny county. The county of Allegheny was formed by act of September 24, 1788, which provided for the holding of Courts of Common Pleas and Quarter Sessions, the latter being directed to sit three days in each session if there should be occasion and no longer. On October 9, 1788, George Wallace was appointed president of the Court of Common Pleas, Quarter Sessions and Orphans' Court with several associates and on November 21, 1788, others were added, some as justices of the peace, who sat in the Quarter Sessions, and some as justices of the Com-

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mon Pleas. All of these justices were laymen, as such judges uniformly were in the State at that time.

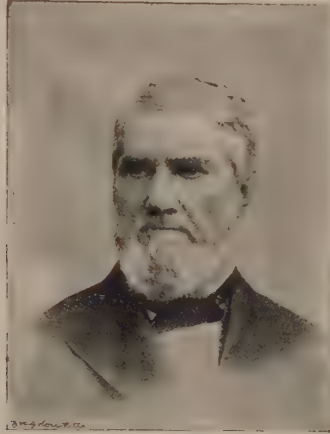
The first Court of Common Pleas was held in Pittsburgh on March 14, 1789. At the first session of the court nine persons were admitted to the bar, four of whom are said to have resided in Pittsburgh, the names of three of them being H. H. Brackenridge, James Ross and John Woods, all of whom afterwards took a leading part in the affairs of the county and some of them in those of the State, the first named having been a justice of the Supreme Court of Pennsylvania and the second a senator of the United States and a candidate for the office of governor of Pennsylvania.

By the schedule of the Constitution of 1790, the justices, as well as all other officers in the appointment of the executive department, were deprived of their offices from September 1, 1791. That constitution materially changed the judicial department and put it into a form which exists substantially to this day. It provided that the State should be divided by law into circuits, which should contain not less than three counties, and for the appointment of a president of the courts of the counties in each circuit, nothing being said as to any requirement of his being learned in the law. In pursuance of this direction five districts or circuits were established, the fifth being composed of the counties of Westmoreland, Fayette, Washington and Allegheny. The act of April 13, 1791, required the governor to appoint in each district a person skilled in the laws to be president and judge of the Common Pleas and to appoint a certain number of other persons as judges of the Common Pleas in each county. In pursuance of this act Alexander Addison was appointed president of the Fifth district, and he first sat in Allegheny county on the second Monday of September, 1791, being the first judge learned in the law to sit in the county.

Alexander Addison was a Federalist and owed his appointment to the Federalist administration, which was elected after the

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adoption of the new constitution. When the reaction against the doctrines which were supposed to be responsible for the excesses of the French Revolution, which had influenced the constitution of 1790, had abated, the opponents of the Federalists came into power and the life tenure of the judges was looked on as a



William Thaw

Born 1818; died 1889. Leader in the development of the Pennsylvania system of railways west of Pittsburgh; philanthropist, and leading promoter of the Allegheny Observatory, and largest contributor to the endowment funds of the Western University of Pennsylvania. By courtesy of Dr. W. J. Holland

grievance, as well as the appointment of lawyers to the bench of the local courts. A Frenchman named John B. C. Lucas was on July 17, 1800, appointed a judge of the Common Pleas of Allegheny county. He soon began to set himself up against the president and having endeavored to charge a grand jury after it had been charged by Judge Addison and in opposition to the views expressed by him, he was prevented from doing so by Judge Addison. An attempt was made to proceed against Judge Addi-

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son for this by way of information in the Supreme Court, which failed, but the judge was afterwards impeached and in a proceeding which now appears to have been highly partisan and wholly unjustifiable he was convicted and removed from his office.

In imitation of the method of relieving the Common Pleas of Philadelphia county, which was adopted by act of March 30, 1811, an act was passed on April 8, 1833, erecting a new Court of Record in Allegheny county to be called the District Court, to consist of a president and to have jurisdiction in civil cases where the sum in controversy exceeded one hundred dollars. The act was to continue in force for seven years. By act of June 12, 1839, the District Court was continued indefinitely, to consist of two judges, a president and an assistant, and jurisdiction in matters involving more than one hundred dollars was taken from the Common Pleas. These courts remained without change in their constitution until March 26, 1859, when an act was passed adding to the Common Pleas an assistant judge learned in the law, so that the court thereafter consisted of four judges, two lawyers and two laymen. At the same time the amount up to which the court should have jurisdiction was raised to three hundred dollars, so that in suits involving not over one hundred dollars the Common Pleas had exclusive jurisdiction, in sums over three hundred dollars the District Court alone had jurisdiction, and in sums between those amounts the jurisdiction was concurrent.

By act of April 11, 1869, a third judge learned in the law was added to the Court of Common Pleas, to be styled an associate judge, and the office of associate judge as theretofore constituted was abolished, to take effect on the death, removal or expiration of the term of the then commissioned associates. The commission of the last lay judge who sat in Allegheny county expired in 1866. Thus the transformation from a court composed wholly of lay judges to one composed wholly of lawyers took seventy-five years for its accomplishment, a fact which shows how strong was the predilection for unprofessional justice, which was

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a living fact in Colonial times and the early history of the State and a powerful tradition for many years after. The act of 1862, just mentioned, also gave to the Common Pleas full concurrent jurisdiction with the District Court.

The object of the legislation as to these courts up to this time had been to provide a court of full civil jurisdiction whose judges should have no other duties, in which the bulk of the litigation should be carried on, and to have the Oyer and Terminer and Quarter Sessions and the Orphans' Court carried on by another judge or judges who should have civil jurisdiction only in small cases, which could then be quickly disposed of. No change was made in the constitution of the courts until June 5, 1873, when another associate judge was added to the District Court.

The constitution of 1874 directed the establishment of two Courts of Common Pleas, of three judges each, in Allegheny county, the Common Pleas being thereby continued as Common Pleas No. 1 and the District Court as Common Pleas No. 2. By the same constitution a Separate Orphans' Court was established for the county, consisting of one judge, and all jurisdiction as judges of the Orphans' Court was taken from the judges of the Common Pleas. Since the adoption of that constitution an associate judge has been added to the Orphans' Court by act of May 5, 1881, and an additional Court of Common Pleas, called Common Pleas No. 3, has been created by act of May 12, 1891, and by the act of July 18, 1901, it was directed that the Orphans' Court of the county of Allegheny should have three judges. Such is in bare outline the history of the courts of Allegheny county.

Having begun with four resident members at the organization of the county, the bar has gradually increased in number as the county has grown in population, and at the present time numbers about eight hundred members in actual practice, as nearly as can be ascertained. To ascertain the exact number at any given time is impracticable, for the reason that many of those who retire from practice do so gradually, their names many times standing

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for years on the office doors and appearing in the directory long after they have in fact ceased to practice law.

The limits of this sketch will not admit of any account of the personal career or character of even the foremost men who have adorned the profession of the law by their labors at the bar of Allegheny county. We shall endeavor to do no more, so far as the bar is concerned, than to illustrate in brief its leading characteristics and some landmarks in its history.

The bar of Allegheny county has long borne the reputation of being second to none in probity, learning and efficiency. The requirements for admission have always been maintained at a high standard and without any of that spirit akin to trades-unionism, which is to be found at the seats of justice of some counties; all have been welcomed who could show themselves to be qualified according to the standard set up and those who did not appear so qualified have been rejected. The examinations are in charge of a committee appointed by the courts, as is the general practice in the State, and no one is admitted to practice on the diploma of a law school or the certificate of other courts.

The variety and importance of the questions arising in the county of Allegheny, which require the consideration of its bar and bench, is, and for a long time has been, greater than in any other county of the State. The concurrence in one county of the coal mining industry, the production of oil and gas, the great and varied manufactories, the peculiar river navigation and the rapid growth of the cities and boroughs of the county, over a country of such varied topography, have given rise to questions new and interesting, which it devolved upon the bar of the county to discuss and solve and which have contributed much to the jurisprudence of the State.

Being thus a bar whose occupation it was to advise and assist busy men actively engaged in a busy community, who desired speedy results, the tendency of the bar has become assimilated to the business methods of its clients. The result has been to pro-

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duce that marked characteristic of the Pittsburg bar, of brevity and directness in the preparation of papers, the examination of witnesses and in argument. This characteristic of course only becomes apparent by comparison with others, which can only be made by some one who has occasion to attend closely to the conduct of business in both, as for example, by the judges of the Courts of Appeal. Such characteristics do not admit of illustration in a sketch like the present and perhaps would be impossible of illustration in any form. Some of the rules of court regulating the practice and special acts procured for the county, when such acts were allowed by the constitution, tending to expedite the business of the courts, will furnish perhaps the most tangible illustrations of the tendency referred to, although they are but illustrations and in themselves are but a very small part of its results.

By an act of April 10, 1862, which was drawn by the late Hill Burgwin, Esq., of the Allegheny county bar, it was provided that the sheriff of Allegheny county should return a schedule of distribution of the proceeds of sale of real estate, according to lists of liens from the proper officers, which should be final unless excepted to: such distributions had theretofore been made by auditors appointed for the purpose by the court, with great loss of time and at considerable expense. This improvement was adopted for the rest of the State by act of June 4, 1901, nearly forty years after it had been in use in Allegheny county.

By the general law of the State, in an action of ejectment to try the title to lands, neither the plaintiff nor the defendant were called on to show by what title they claimed to hold the lands in question until their claims were developed by the offer of evidence on trial. The plaintiff was therefore bound to come prepared to prove every fact and document in his chain of title and to disprove or rebut everything which he could guess the defendant would prove against him, and in like manner the defendant came without knowing what title he was to defend against. The District Court

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of Allegheny county, on March 16, 1857, adopted a rule which required each side before the trial to file an abstract of their title and to set out what it is they propose to deny in the statements filed by the other, and their evidence on the trial was confined to the matters so shown to be in dispute. This rule was adopted wholly, or in part, in several other counties. It has been made the law of the State, by act of May 8, 1901. Thus again, after many years, has the rest of the Commonwealth acquired the benefit of an improvement in the law, tending to businesslike methods in its administration, from the bench and bar of Allegheny county.

In 1877 the Common Pleas Courts of Allegheny adopted rules in regard to affidavits of claim and of defense and of claims of set-off which have been in force ever since and have greatly expedited and improved the conduct of causes in those courts, these rules, however, being of too technical a character to admit of explanation to the general reader. A part of the improvements introduced by these rules, but only a small part, has been introduced into the law of the State by the act of May 25, 1887. The remaining provisions of these rules we venture to predict will be substantially adopted by statute for the rest of the State at some time, perhaps, when they shall have been in use as long as the other improvements mentioned.

A number of other examples of the same kind might be mentioned, but they would be of interest only to lawyers. These instances will suffice, however, to indicate what we have before stated, that the characteristic of the bar of Allegheny county is its desire to dispense with useless and immaterial matter and forms and to arrive at results in the most direct and speedy way. By an act of April 15, 1867, one-sixth of all fines and forfeitures to which the county is entitled was directed to be paid to a committee for the purchase of a law library, to be kept at or near the Court House, for the use of the citizens of the county, and by an

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act of 1870, the share of fines and forfeitures to be so used was increased to one-half. With the funds so appropriated a public law library has been kept and maintained in the Court House, which has become the largest and best public law library in the State and one of the best in the United States, and has been loyally supported by the Commissioners of the County as a most useful and creditable public institution.

The Allegheny County Bar Association was incorporated under the name of the Pittsburg Law Association, by act of February 26, 1870, the name being changed to that which it now bears by act of May 6, 1882. By the act of incorporation the Commissioners of the County were directed to provide a suitable room in the Court House for its accommodation, which they have done, and the association there has the use of a large and commodious room, whose walls it has adorned with oil paintings of many of the distinguished members of the bench and bar. The association ceased to hold meetings or elect officers within three years after its incorporation and remained quiescent until 1882, when under its new name it resumed its activity and has become a factor of importance and influence in the life of the bar.

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